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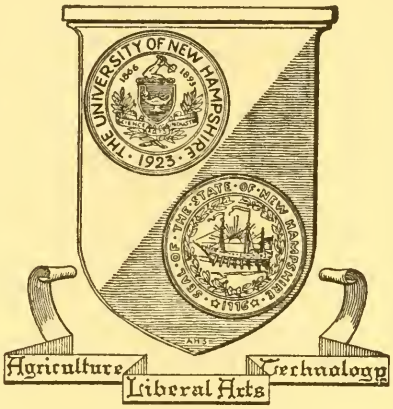

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NEW HAMPSHIRE GENERAL COURT

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

JANUARY SESSION OF 1951

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GRANITE STATE PRESS, INC.
MANCHESTER, N. H.

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

JANUARY SESSION OF 1951

WEDNESDAY, JANUARY 3, 1951

On the first Wednesday in January, the year of our Lord one thousand nine hundred and fifty-one, being the day designated by the Constitution for the assembling of that body, the one hundred and thirty-second General Court of the State of New Hampshire convened at the Capitol in the City of Concord, and the representatives-elect were called to order by Cyril J. Fretwell, Clerk of the House for the preceding session.

The acting clerk proceeded to call the roll, and 383 members answering to their names, a quorum was declared present.

On motion of Mr. Scamman of Stratham.

Resolved, That a committee of three be appointed by the Clerk to wait upon His Excellency the Governor, and inform him that a quorum of the House is assembled and requests his attendance.

The Clerk appointed Mr. Scamman of Stratham, Mrs. Goodwin of Hollis and Mr. Malley of Somersworth.

His Excellency, the Governor, having been informed that a quorum of the House was assembled, appeared, and the following named ladies and gentlemen, having presented their credentials, were duly qualified by His Excellency as members of the House of Representatives by taking and subscribing to the oaths of office agreeably to the provisions of the Constitution.

ROCKINGHAM COUNTY

Atkinson	Harry B. Tuttle
Auburn	Margaret A. Griffin
Brentwood	Frederick W. Libby
Candia	Mary A. Wastcoat
Chester	Robert C. Hazelton*
Danville	Mahlon B. Darbe
Deerfield	Alf G. Lindahl
Derry	Harry E. Clark
	William B. Cushing*
	Charles H. Gay
	Oliver H. Hepworth
East Kingston	George B. Freeman
Epping	Lionel S. Fecteau
Exeter	Emory P. Eldredge
	Elizabeth E. Kendall
	James C. Rathbone
	Maude B. Richards
Fremont	Anthime D. LeComte
Greenland	Charles W. Bonney
Hampstead	Thorndyke Putnam
Hampton	Dean B. Merrill
	Donald A. Ring
Hampton Falls	James H. Thurlow
Kensington	Charles R. Eastman
Kingston	Charles M. McNeill
Londonderry	Charles H. Hall
New Castle	Thomas F. McCaffery
Newfields	Thomas R. Sheehy
Newington	John E. Holden
Newmarket	Arthur A. Labranche
	F. Albert Sewall
Newton	Henry G. Wells
North Hampton	George G. Carter
Northwood	Ernest L. Pinkham
Nottingham	Arthur W. McDaniel
Plaistow	Arthur T. Colcord
Portsmouth—	
Ward 1	Leland W. Davis
	Mary C. Dondero
	Alice W. Sukeforth

Ward 2	Charles T. Durell
	Harry H. Foote
	John H. Yeaton
Ward 3	C. Cecil Dame*
	John J. Leary
Ward 4	Thurston A. Smart
Ward 5	Edward J. Ingraham
Raymond	Thomas F. Bluitte
Rye	Manning H. Philbrick
Salem	Walter F. Haigh
	Leonard B. Peever
Seabrook	William H. Durkee
Stratham	W. Douglas Scamman
Windham	Thomas Waterhouse, Jr.

STRAFFORD COUNTY

Barrington	Roy V. Swain
Dover—	
Ward 1	Raymond H. Chase
	W. Raymond Stackpole
Ward 2	Paul G. Karkavelas
	Joseph Marcotte, Jr.
	William N. Shaheen
Ward 3	Levi F. Felker
	Carroll E. Fellows
Ward 4	James Carroll
	Harley A. Crandall
	Charles H. Locke
Ward 5	Emmet J. Flanagan
Durham	Oren V. Henderson
Farmington	Carl C. Blanchard
	Ned L. Parker
Lee	Frank I. Caldwell
Milton	John E. Horne
New Durham	William Smith
Rochester—	
Ward 1	Ernest L. Rolfe
Ward 2	Margaret E. Dustin
	Fred Maxfield
Ward 3	Barbara Winters

Ward 4	Alphonse Lacasse
	Angeline M. Gilbert St. Pierre
Ward 5	Norma M. Studley
Ward 6	Llewellyn F. Fernald
	Charles F. Leach
Rollinsford	Fred L. Green
Somersworth—	
Ward 1	Placide J. Lagueux
Ward 2	Edward G. Letourneau
Ward 3	Fred J. Coffin
Ward 4	Leo H. Cater
Ward 5	James F. Malley
Strafford	Albert H. Brown

BELKNAP COUNTY

Alton	Frederick M. Perkins
Barnstead	Arthur H. McAllister
Belmont	Joseph L. Boutin
Gilford	Lena D. Weeks
Gilmanton	C. Roland Osborne
Laconia—	
Ward 1	Myron B. Hart
Ward 2	Fortunat A. Normandin
	Alfred W. Simoneau
Ward 3	Elmer S. Tilton
Ward 4	Otto G. Keller
	Robert P. Tilton
Ward 5	David O'Shan
	Theodore M. Thompson
Ward 6	John F. Brown
	John M. Ewing
Meredith	Horace U. Ransom
	Joseph F. Smith
New Hampton	Archibald H. Matthews
Sanbornton	Marion H. Atwood
Tilton	Warren F. Metcalf

CARROLL COUNTY

Bartlett	Fred H. Washburn
Conway	Mellen B. Benson
	Elmer H. Downs
	Leslie C. Hill

Hart's Location	Florence P. Morey
Madison	Guy W. Nickerson
Moultonborough	G. Stewart Lamprey
Ossipee	Lisle O. Moulton
Sandwich	Perley C. Knox
Tamworth	Earle H. Remick
Tuftonboro	Forrest W. Hodgdon
Wakefield	Ansel N. Sanborn
Wolfeboro	Harold H. Hart
	John D. McHugh

MERRIMACK COUNTY

Allenstown	Laurier Baron
Andover	Charles H. Putney
Boscawen	Elmer S. Ellsworth
Bow	Andrew M. Nicoll
Bradford	Reuben S. Moore
Canterbury	Albert A. Vogel
Chichester	Shirley A. Marden
Concord—	
Ward 1	Fred M. Dodge
	James P. Ferrin
Ward 2	Clarence I. Tebbetts
Ward 3	Clyde B. Loiselle
Ward 4	Philip H. Blodgett*
	Harry H. Kennedy
	Charles W. Tobey, Jr.
Ward 5	George L. Hurd
	Raymond K. Perkins
Ward 6	George H. Corbett
	Eugene J. O'Neil
	Gertrude E. Saltmarsh
	John C. Tilton
Ward 7	Shirley Brunel
	John E. Bunten
	Allen M. Freeman
	Marjorie M. Greene
Ward 8	John G. Blodgett
Ward 9	Emmett A. Nawn
	C. Murray Sawyer*
Danbury	Roy K. Sargent

Dunbarton	David M. Hadley
Epsom	Ralph E. Towle
Franklin—	
Ward 1	George W. Chase
Ward 2	James M. Burke
	Alcide LaBranche
Ward 3	Albert Ayotte
	Peter P. Charland
Henniker	Diamond A. Maxwell
Hill	George C. Mason
Hooksett	John E. Beale
	Edward M. DuDevoir
Hopkinton	Nathaniel F. Davis
Loudon	Benjamin E. Smith
Newbury	Randolph H. Milligan
New London	Seth A. Lamson
Northfield	Fred G. Wilman
Pembroke	George R. Lea
	Leo Gerard Payeur
Pittsfield	Eralsey C. Ferguson
	E. Harold Young
Sutton	John R. Powell
Warner	John P. H. Chandler, Jr.
Wilmot	Leon E. Sawyer

HILLSBOROUGH COUNTY

Amherst	Nelle L. Holmes
Antrim	F. Ewing Wilson
Bedford	Gillis French*
Bennington	Edward C. Black
Brookline	Grover C. Farwell
Goffstown	A. Kenneth Hambleton
	Alfred W. Poore
	Austin H. Reed
Greenville	William H. Doonan
Hancock	Robert English
Hillsborough	R. Wayne Crosby
	Walter C. Sterling
Hollis	Ann J. Goodwin
Hudson	Roland W. Abbott
	Ned Spaulding
Lyndeborough	Erwin E. Cummings

Manchester—

Ward 1	Marion B. Corliss
	William J. Kennedy, Jr.
	James Pettigrew
Ward 2	Harry J. Danforth
	Walter Clark Flanders*
	Joseph H. Geisel
	John Pillsbury
Ward 3	Walter B. Connor
	Michael Joseph Dwyer
	Louis Israel Martel
	John J. Sweeney
Ward 4	William J. Fitzgerald
	Dominick J. Kean
	Thomas F. Nolan*
Ward 5	Stanley J. Betley
	Etta L. Ellis
	Jeremiah B. Healy
	Alexander Kazakis
	Gedeon P. Proulx
	John Francis Shea
Ward 6	Denis F. Casey
	Edward J. Cavanaugh
	Edward D. Clancy
	Joseph F. Ecker
	Daniel J. Healy
	John Zyla
Ward 7	George E. Benoit
	Francis W. Downey
	Mark J. Gorham
	Moise Z. Marcoux
	Michael T. Sullivan
Ward 8	George N. Constant
	Eugene H. Delisle, Sr.
	John Kane
	Peter H. Roy
Ward 9	Fred Cary
	Henry J. Gagnon
Ward 10	George S. Auger
	Oscar E. Getz, Sr.
	John J. Kearns

Ward 11	Thomas Martin McCarthy*
	John M. Roche
	Joseph J. Roukey
Ward 12	George E. Laflamme
	Amelia Lareau
	Louis J. Soucy
	Leon J. Vaillancourt
Ward 13	Rolland L. Chapdelaine
	Paul H. Daniel
	Lorenzo P. Gauthier
	Arthur E. Thibodeau
Ward 14	Michael J. Cannon
	Michael S. Donnelly
	Michael P. Wedick
Merrimack	Bert L. Peaslee
Milford	William M. Falconer
	George F. Nelson
	Fred T. Wadleigh
Nashua—	
Ward 1	Mabel Thompson Cooper
	Alice L. Ramsdell
	George W. Underhill
Ward 2	George F. Boire
	Clara M. Record
Ward 3	Agenor Belcourt
	Wilbur D. Maynard
Ward 4	Cornelius M. Brosnahan
	George D. Spalding*
Ward 5	Pierre F. Cote
	Emile E. Marquis
	Albert Maynard
Ward 6	William Boisvert
	John B. Dionne
	Frank B. Shea
Ward 7	Arthur J. Chartrain
	Adelard Dupont
	Frank E. Ryan
Ward 8	Rodolphe Cormier
	Alfred P. Grandmaison
	Louis M. Janelle
	Normand R. Pelletier

Ward 9	Paul E. Bouthillier
	Arthur A. Pelletier
New Boston	Edward F. Locke
New Ipswich	Willmore D. Ashley
Pelham	Andrew L. Mailloux
Peterborough	Perkins Bass
	Charles M. Cummings
Weare	Chester W. French
Wilton	David J. Barry
Windsor	James I. Hines

CHESHIRE COUNTY

Alstead	Nelson C. Burnham
Chesterfield	Wakefield Dort
Dublin	Katharine Jackson
Fitzwilliam	Pauline H. Miller
Gilsum	Walter L. Mahoney
Harrisville	Lawrance W. Rathbun
Hinsdale	Frank W. Walker
Jaffrey	James B. Perry
	Carl C. Spofford
Keene—	
Ward 1	Milan Herbert Collins
	Howard W. Kirk
	John H. O'Neil
Ward 2	Irene W. Landers
	Holland S. Wheeler
Ward 3	Frank J. Bennett
	James M. Erwin
Ward 4	Leroy E. Codding
	Gardner C. Turner
Ward 5	Laurence M. Pickett
	Richard F. Walsh
Marlborough	Benjamin G. Hall
Rindge	Harry E. Sherwin
Swanzey	Joseph Kershaw
	Harry A. Worcester
Troy	Franklin L. Lang
Walpole	John E. Aylward
	E. Everett Rhodes, Jr.
Westmoreland	Oscar W. Billings

Winchester	Frederick H. Ingham
	Alexander P. Thompson

SULLIVAN COUNTY

Acworth	Glenn N. Bascom
Charlestown	Martha McD. Frizzell
Claremont—	
Ward 1	George W. Angus
	Clara P. Brooks
	Sydney B. Converse
Ward 2	William F. Bissonnett
	Julia A. Millar
	Sam J. Nahil
Ward 3	William P. Baron
	Joseph D. Carton
	Alfred J. Marcotte
Cornish	Burnham Carter, Sr.
Newport	Elsie C. Bailey
	Edwin H. Perry
	Jesse R. Rowell
	Joseph D. Vaughan
Plainfield	Edward M. Pierce
Sunapee	Clifford E. Gamsby
Unity	George S. Callum

GRAFTON COUNTY

Ashland	Hiram F. Gingras
Bath	Edwin P. Chamberlin
Bethlehem	James Elmer Harrington
Bristol	Bowdoin Plumer
Campton	Philip S. Willey
Canaan	Frank B. Clarke
Ellsworth	Chester A. Avery
Enfield	Thomas J. Lorden
Franconia	J. Everett Grass
Grafton	Elsie F. Williams
Hanover	Edith P. Atkins
	Robert J. Fuller
	Charles A. Holden
Haverhill	Theodore Chamberlin
	Norman A. McMeekin
	Finlay P. Sleeper

Holderness	John M. Crafts
Lebanon	Arthur F. Adams
	Jerold M. Ashley
	Forrest B. Cole
	Lane Dwinell
	Fred A. Jones
	Harold G. Randall
Lincoln	Charles Griffin*
Lisbon	James E. Collins
	Arthur L. Hamilton*
Littleton	Van H. Gardner
	Fred Kelley
	Eda C. Martin
Lyme	Henry S. Pushee
Monroe	Howard W. Burrill
Orford	William E. Green*
Piermont	Earl V. Howard
Plymouth	Kenneth G. Bell
	Elmer E. Huckins
Rumney	Jesse A. Barney
Thornton	Ida M. Horner
Warren	Fayne E. Anderson
Waterville	Sarah J. Woodward
Wentworth	Charles A. Gilbert
Woodstock	Ida T. Sawyer

COOS COUNTY

Berlin—	
Ward 1	Oliver A. Dussault
	Edward F. Hinchey
	Henry M. Moffett
	Lena M. Shields
Ward 2	Romeo Desilets
	Harry L. Henderson
	Frank H. Sheridan
Ward 3	Hilda C. F. Brungot
	Lawrence Morel
	John S. Sullivan
Ward 4	Arthur A. Bouchard
	Jennie Fontaine
	Victor N. Laforce
	Bernard J. Roy

Carroll	Oscar E. Rines
Colebrook	Curtis C. Cummings
	Fred H. Gould
Columbia	Lovell V. Oakes
Dalton	William O. Emerson
Gorham	James A. Fraser
	Walter J. Malloy
Jefferson	Raymond G. Kimball
Lancaster	John B. Evans
	Arthur L. Simonds
Milan	Joseph W. Means
Northumberland	Columbus Christopher
	Ismond D. Ellingwood
Pittsburg	Merton L. Hilliard
Stewartstown	Ray W. Placy
Stratford	Bert Stinson
Whitefield	Ada C. Taylor

* Those marked with an asterisk were not present but appeared and qualified later as will be found in the daily proceeding of the House.

The Clerk called the House to order and stated that the first business was election of a temporary presiding officer.

Mr. Sanborn of Wakefield placed in nomination Mr. Henderson of Durham.

On a *viva voce* vote Mr. Henderson of Durham was declared elected temporary presiding officer and was escorted to the Chair by Mrs. Brungot of Berlin and Mr. Pickett of Keene.

On motion of Mr. Peever of Salem the House proceeded to the election of a Speaker by ballot. The presiding officer appointed Mr. Peever of Salem, Mrs. Atkins of Hanover, Mr. Kearns of Manchester and Mr. Foote of Portsmouth as a committee to receive, sort and count the ballots.

Mr. Turner of Keene placed in nomination Mr. Dwinell of Lebanon.

Mr. Kearns of Manchester placed in nomination Mr. Pickett of Keene.

Return of Votes for Speaker

Total number of votes cast	382
Mr. Dwinell of Lebanon had	269
Mr. Pickett of Keene had	113

Mr. Dwinell of Lebanon was declared elected Speaker.

On motion of Mr. Pickett of Keene the vote for Speaker was made unanimous.

Mr. Dwinell of Lebanon was escorted to the Chair by Mesdames Brooks of Claremont, Winters of Rochester, and Fontaine of Berlin.

Speaker's Remarks

I am deeply grateful for the high honor which you have shown me by electing me as your presiding officer.

This General Court convenes during what may well be the most critical time that has ever faced our state and nation, during the 160 odd years of their existence. In the weeks ahead it may be difficult for us to properly concentrate our attention on the affairs of our own state, if the problems confronting the nation become more acute. However, I believe that the best way we as New Hampshire legislators can serve our country, in this time of national emergency, is to apply ourselves diligently to the task of making our own state strong. Our country cannot successfully face the days ahead, if we do not maintain our state, county and local governments on a sound, efficient and economical basis.

While it is natural and proper that we shall have different points of view, as to how we should solve many of our problems, the Chair hopes that when we consider measures relating in any way to the national security, or to the security of our own state, we may approach these measures without factional differences and without partisanship.

The Chair hopes that we may have a reasonably short session, even though we will have many serious problems to consider. While the record shows that long sessions have generally been caused by financial problems, and while we all know that we will again have such problems this session, the Chair hopes that not only the committees which will be dealing directly with these matters, but the membership as a whole, will make every effort to expedite the business of the session. The people who have elected us are entitled to efficient work from us, to due and careful deliberation. While on the one hand we should avoid hasty or ill considered legislation, we should on the other hand keep in mind that each day we are in session costs the state approximately $6,000.

Members are reminded that the deadline for introduction of bills is Tuesday, January 23rd at 5 P. M. It is hoped that with the improved bill drafting service now available in the Attorney General's office, members will get their bills in on time, and will not have to request late admission of bills through the Rules Committee.

The Chair is pleased to announce that the school in parliamentary procedure and committee practice, which was conducted as an experiment in the 1949 session, is to be continued again this year. This school is conducted by the Bureau of Government Research of the University of New Hampshire, through its director and staff, assisted by members of the House. The plan is to offer four sessions, on the afternoons of January 9 and 10 and January 16 and 17. These sessions will be held here in Representatives' Hall at times to be announced later. This school was well attended in the previous session, and it is hoped will again prove of particular interest to new members. Since the University authorities desire to know in advance on what attendance to plan, all members interested are asked to leave their names with the Clerk after adjournment today.

There are 179 members of the present House who did not serve in the previous session, and well over 100 members who have had no previous service in this body. This is an unusually large number of new members, and while the Chair has already had the opportunity of meeting most of these newcomers personally, he hopes to know them all within a very few days. The Chair feels sure that he speaks not only for himself, but for all of those who have served here before, when he assures these new members of every possible help in their adjustment to their new duties.

Special attention is called to the new public address system, authorized by the Special Session of 1950, and just being installed in the House. The size of our body makes this a most necessary and valuable aid in the conduct of our proceedings. It is unfortunate that all the equipment could not have arrived and adjustments been made prior to our convening. While the Chair does not necessarily desire to encourage the lengthening of debates, he does feel that many members with valuable contributions to make, and who have heretofore been reluctant to address the House through our previously unreliable microphones, will feel inclined to take

part in our deliberations when the new system is completed.

In conclusion, the Chair frankly admits that he cannot promise not to make mistakes. I ask your patience and indulgence, particularly in the matter of recognition of members in the early days of the session. I can and do promise to the best of my ability to preside with absolute fairness and impartiality. In the last analysis, however, the success of this session depends on each one of you, as well as on the presiding officer. I shall seek to cooperate with every member, and I ask the aid and cooperation of every member in return.

Mr. Pillsbury of Manchester placed in nomination for Clerk, Cyril J. Fretwell of Concord; for Assistant Clerk, Robert L. Stark of Goffstown; for Sergeant-at-Arms, John H. Twombly of Hill; for Doorkeepers, Sherman Greer of Manchester; Mabel Richardson of Randolph; Marie A. Christiansen of Berlin and George W. Philbrick of Concord.

On motion of Mr. Normandin of Laconia, the Speaker was instructed to cast one ballot for the above candidates and they were declared elected.

Cyril J. Fretwell, Robert L. Stark, John H. Twombly, Sherman H. Greer, Mabel Richardson, Marie A. Christiansen and George W. Philbrick, then appeared and were duly qualified by taking the oath as Clerk, Assistant Clerk, Sergeant-at-Arms and Doorkeepers respectively.

CYRIL J. FRETWELL,
Clerk for 1949-1950

Leaves of Absence

Mr. Dame of Portsmouth was granted leave of absence for the day on account of illness.

Messrs. Sawyer and Blodgett of Ward 4 of Concord, were granted leaves of absence for the week on account of illness.

Resolutions

On motion of Mrs. Taylor of Whitefield:

Resolved, That the Honorable Senate be informed that the House of Representatives has organized by the choice of Lane Dwinell, Lebanon, Speaker; Cyril J. Fretwell of Con-

cord, Clerk; Robert L. Stark of Goffstown, Assistant Clerk; John Twombly of Hill, Sergeant-at-Arms; Sherman Greer, Mabel Richardson, Marie A. Christiansen, George W. Philbrick, Doorkeepers.

On motion of Mr. Rowell of Newport,

Resolved, That the Speaker of the House be authorized to appoint one custodian of mail and supplies, one warden of the coat room, one assistant warden of the coat room, one library messenger, one telephone messenger, five pages and one page to the Speaker.

Mr. Reed of Goffstown offered the following resolution:

Resolved, That a committee of ten members, one from each county, be appointed by the Chair to select some suitable person to act as Chaplain during the present session of the Legislature and report such selection to the House for consideration.

On a *viva voce* vote the resolution was adopted.

The Speaker appointed as members of such committee: Mrs. Richards of Exeter, Mr. Swain of Barrington, Mrs. Weeks of Gilford, Mr. Hodgdon of Tuftonboro, Mr. Sawyer of Concord, Mr. Casey of Manchester, Mr. Perry of Jaffrey, Miss Bailey of Newport, Mr. Sleeper of Haverhill, Mrs. Brungot of Berlin.

Mr. McDaniel of Nottingham offered the following resolution:

Resolved, That the Sergeant-at-Arms of the House be instructed to procure and furnish to each member of the House and officers thereof, during the days when the House is actively in session, one newspaper published in the state, each member and officer to choose the paper he desires to have, and indicate the same to the Sergeant-at-Arms forthwith.

The question being on the resolution.

(Discussion ensued)

Mr. Ferguson of Pittsfield spoke against the resolution.

Mr. Ferguson moved that the resolution be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Messrs. Clarke and Gagnon of Manchester spoke in favor of the motion.

Mrs. Dondero of Portsmouth spoke against the motion.

On a *viva voce* vote the Chair was in doubt.

Mr. Gagnon of Manchester demanded the yeas and nays but subsequently withdrew his demand.

Mr. Gagnon of Manchester asked for a division.

A division being had, 281 members having voted in the affirmative and 10 members having voted in the negative, the motion to indefinitely postpone prevailed.

Mr. Holden of Hanover offered the following resolution:

Resolved, That a committee of three be appointed by the Speaker to assist the Clerk in procuring, as soon as possible, 2,500 copies of the Legislative manual, 1,000 paper bound, and 1,500 in substantially the same form and binding as that of 1949.

The question being on the resolution.

Mr. Ferguson of Pittsfield spoke against the resolution.

Mr. Holden of Hanover withdrew the resolution.

Mr. Hart of Wolfeboro offered the following resolution:

Resolved, That the drawing of seats be made a special order for 11:01 A. M., Tuesday, January 9, 1951.

The question being on the resolution.

(Discussion ensued)

Mr. Hart of Wolfeboro spoke in favor of the resolution.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Scamman of Stratham.

Resolved, That the Speaker be authorized to appoint a committee of three to procure and assign suitable hearing rooms for various committees of the House.

The Speaker appointed as members on such committee, Messrs. Scamman of Stratham, Ashley of Lebanon and Barry of Wilton.

On motion of Mr. Pillsbury of Manchester,

Resolved, That the Honorable Senate be informed that the House of Representatives will be ready to meet the Senate in Joint Convention for the purpose of canvassing the votes for

Governor and Councilors agreeably to the Constitution and for the election of a Secretary of State and State Treasurer.

Mr. Turner of Keene offered the following resolution:

Resolved, That the Rules of the House of the 1949 session be adopted with the following amendment that:

The name of the Committee on Forestry and Recreation as appearing in section 35 of said rules be changed to the Committee on Resources, Recreation and Development, and that the duties of said committee shall be enlarged by adding after the word "Industries" the following words "Water Resources, the development of all resources of the state" so that the duty of the committee shall read:

It shall be the duty of the Committee on Resources, Recreation and Development to consider all matters relating to the forests of the state, public parks, recreational areas, the recreational industries, water resources, the development of all resources of the state, and such other matters as may be referred to it.

The question being on the resolution.

(Discussion ensued)

Mr. Turner of Keene spoke in favor of the resolution.

Mr. Pickett of Keene spoke against the resolution.

Mr. Pickett of Keene moved that the resolution be laid upon the table and made a special order for Tuesday, January 9 at 11:02 o'clock.

The question being on the motion.

(Discussion ensued)

Mr. Turner of Keene spoke against the motion.

Mr. Pickett of Keene withdrew his motion for a special order.

Mr. Pickett offered the following amendment: Add the word "Forestry" after "Resources."

The question being on the amendment.

Mr. Pickett of Keene spoke in favor of the amendment.

Mr. Turner of Keene spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

The question being on the resolution.

On a *viva voce* vote the resolution was adopted.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had adopted the following resolution:

Resolved, That the House of Representatives be informed that the Senate having assembled has organized by the choice of Blaylock Atherton as President, Benjamin F. Greer as Clerk, Frank M. Ayer as Assistant Clerk, John S. Ball as Sergeant-at-Arms, Frank D. Gay as Doorkeeper, and Rene Dufort as Messenger, and is now ready to proceed with the business of the session.

The message also announced that the Senate had passed the following resolution, in the passage of which it asked the concurrence of the House of Representatives:

Resolved, That the House of Representatives be informed that the Senate will be ready to meet the House in joint convention for the purpose of canvassing the votes for the Governor and Councilors agreeably to the provisions in the Constitution at 2:00 o'clock this afternoon, and for the election of a Secretary of State, and State Treasurer.

Recess

After Recess

Joint Convention

The Honorable Senate then came in and the two branches being in convention.

On motion of Mr. Barry of Wilton:

Resolved, That the Honorable Secretary of State be requested to lay before the convention the returns of the votes for Governor and Councilors cast in the last election.

The Honorable Secretary of State then appeared and laid before the convention the returns of the votes for Governor and Councilors cast in the last election.

On motion of Senator Hartnett of District No. 21:

Resolved, That the vote for Governor and Councilors be referred to a committee consisting of one on the part of the Senate and two on the part of the House to compare and count the same and report thereon.

The Chairman named as such committee: Senator Hartnett of District No. 21, Mr. Wadleigh of Milford and Mr. Casey of Manchester.

Report of Committee

Senator Hartnett of District No. 21, for the joint committee to whom was referred the return of the votes cast for Governor and Councilors at the last biennial election, reported that it had examined, compared and counted the same, with the following result:

For Governor

	Adams, r	Bingham, d
Rockingham	17,523	6,419
Strafford	9,905	8,661
Belknap	6,412	3,338
Carroll	4,948	1,170
Merrimack	13,974	9,110
Hillsborough	25,963	34,961
Cheshire	7,317	4,135
Sullivan	5,243	3,380
Grafton	10,886	4,440
Coos	6,736	6,644
Totals	108,907	82,258

Sherman Adams having a plurality of all votes, was elected Governor.

FOR COUNCILORS

First District

George T. Noyes, Bethlehem, r	20,824	
Bernard M. Carter, Conway, d	11,273	
Plurality for Noyes		9,551

Second District

Renfrew A. Thomson, Exeter, r	23,054	
John P. Carberry, Rye, d	13,691	
Plurality for Thomson		9,363

Third District

C. Edward Bourassa, Manchester, d	24,572	
Norman A. Packard, Manchester, r	13,766	
Plurality for Bourassa		10,806

Fourth District

Howard R. Flanders, Nashua, r	20,900	
Leonard G. Velishka, Nashua, d	16,738	
Plurality for Flanders		4,162

Fifth District

Charles F. Stafford, Laconia, r	23,327	
J. Felix Daniel, Laconia, d	12,864	
Plurality for Stafford		10,463

On motion of Mr. Tilton of Laconia:

Resolved, That a committee of five be appointed by the Chair to wait upon the Honorable Sherman Adams, and inform him officially of his election as Governor of the State of New Hampshire, and that the Senate and House of Representatives are ready to receive any communication from His Excellency at such time as he may desire.

The Chairman appointed as members on such committee, Senator Wild of District No. 4, and Senator Caron of District No. 17, and Mr. Henderson of Durham, Mrs. Griffin of Auburn and Mrs. Sawyer of Woodstock.

On motion of Mr. Normandin of Laconia:

Resolved, That a committee of three be appointed by the Chair to wait upon the Councilors: George T. Noyes, Renfrew A. Thomson, Edward Bourassa, Howard R. Flanders, Charles F. Stafford, and inform them officially of their election to the Honorable Council.

The Chairman appointed as members of such committee, Senator Wiggin of District No. 16, Mr. Peever of Salem and Mrs. Dondero of Portsmouth.

On motion of Mr. Rowell of Newport:

Resolved, That the convention proceed with the election of a Secretary of State.

Mr. Rowell of Newport placed in nomination Mr. Enoch D. Fuller as Secretary of State.

Mrs. Richards of Exeter seconded the nomination of Mr. Fuller as Secretary of State.

The Clerk was instructed to cast one ballot for Mr. Fuller.

The Chairman declared Mr. Enoch D. Fuller elected as Secretary of State.

Mr. Sanborn of Wakefield offered the following resolution:

Resolved, That the convention proceed with the election of a State Treasurer.

The question being on the resolution.

Mr. Turner of Keene moved that the election of a State Treasurer be laid upon the table.

The question being on the motion.

On a *viva voce* vote the resolution was laid upon the table.

On motion of Senator Cleveland of District No. 7 the convention rose.

On motion of Mr. Wadleigh of Milford the House adjourned from the morning session.

The House was immediately called to order in afternoon session.

On motion of Mrs. Morey of Hart's Location at 3:03 o'clock the House adjourned.

THURSDAY, JANUARY 4, 1951

The House met according to adjournment.

Leaves of Absence

Messrs. Dame of Portsmouth and Plumer of Bristol were granted leave of absence for the day on account of illness.

County Delegation Notice

The Speaker read the folowing notice.

County Conventions

Chapter 44

Section 5 as amended by Laws of 1945, Chapter 172.

5. *Members.* The county convention shall consist of the representatives of the towns of the county. They shall meet on the second Wednesday of each biennial session of the General Court, or some other day in the same week, choose

a chairman, clerk and an executive committee. The chairman and the clerk of the delegation shall be members of the executive committee *ex officio.*

Resolutions

On motion of Mr. Wadleigh of Milford:

Resolved, That when the House adjourns this morning it be to meet Tuesday morning, January 9, at 11:00 o'clock.

On motion of Mr. Peever of Salem:

Resolved, That the Honorable Senate be notified that the House of Representatives will be ready to meet the Senate in Joint Convention at 11:50 o'clock for the purpose of receiving His Excellency, the Governor, and any communication he may be pleased to make, and for the transaction of such other business as may properly come before such convention.

Senate Message

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to adopt the following resolution:

Resolved, That the Senate will be ready to meet the House of Representatives in joint convention as suggested by the House Message at 11:50 o'clock, for the purpose of receiving His Excellency, the Governor, and any communication that he may be pleased to make, and for the transaction of any other business that may properly come before such convention.

Recess

After Recess

Joint Convention

The Honorable Senate then came in and the two branches being in convention, Senator Wild of District No. 4, for the Joint Committee, offered the following report:

The Joint Committee appointed to wait upon Honorable Sherman Adams and inform him officially of his election as Governor of the State of New Hampshire reports that it has attended to its duty; that the Governor-elect has accepted said office and will meet the Senate and House of Representa-

tives in convention at the earliest convenient time to take the oath of office and make such communication as he deems proper.

The report was accepted.

Senator Wiggin of District No. 16, for the Joint Committee, offered the following report:

The Joint Committee appointed to wait upon George T. Noyes, Renfrew A. Thomson, C. Edward Bourassa, Howard R. Flanders and Charles F. Stafford and inform them officially of their election to the Honorable Council, reports that it has attended to its duties, and that the gentlemen named have accepted the office.

The report was accepted.

Invocation was offered by Rt. Reverend Monsignor Jeremiah S. Buckley.

The Governor-elect, attended by the Council-elect, then came in, and the Honorable Sherman Adams, Governor-elect, then took and subscribed to the oath of allegiance before the President of the Senate and in the presence of both branches of the Legislature, whereupon the Honorable Blaylock Atherton, President of the Senate, made proclamation as follows:

Sherman Adams, having been duly elected Governor of New Hampshire, accepted the office and taken the oaths prescribed by the Constitution, I do hereby declare and proclaim His Excellency, Sherman Adams, Governor of the State of New Hampshire, to hold office during the period prescribed by the Constitution and Laws of the State, and I present Your Excellency with a copy of the Constitution of the State as a guide in the discharge of your official duties.

The Honorable Council, George T. Noyes, Renfrew A. Thomson, C. Edward Bourassa, Howard R. Flanders and Charles F. Stafford then took and subscribed to the oath of allegiance before His Excellency, Governor Sherman Adams.

His Excellency, Governor Sherman Adams, then read the following message:

INAUGURAL ADDRESS

January 4, 1951

Mr. Speaker, Mr. President, Members of the General Court:

If any of you have ever been in the woods on a stormy day and had to depend on a compass to find your way out, then suddenly discovered that you are in a magnetic field and your compass wasn't of much use to you, you have some conception of the state of your country at the present time in the minds of a great many people. There is the story of two travelers who were comparing their ideas about foreign cities. "London," said one, "is by all means the foggiest place in the world."

"Oh, no it's not," said the other, "I've been in a place much foggier than London."

"Where was that?" asked his friend.

"I don't know where it was," replied the second man, "it was so foggy."

There is, however, no forest so dense nor fog so thick that it cannot be dispelled with patience and brightened with a cooperative spirit of willing people who are determined to find the way out.

There probably has never been a General Court which has ever convened in New Hampshire under more trying and more uncertain circumstances. At the same time we should remember that we are not unique in this respect. In the Congress, and in most of the legislatures of these United States, free government is again on trial, testing once more its ingenuity and courage to meet the most extraordinary problems with which it has ever been confronted. To meet these successfully will take the utmost sagacity. Nevertheless, they must be met if organized *free* government under law is to live. Otherwise, there is no liberty left for any of us.

The first Constitutional Legislature in New Hampshire convened on Wednesday, June 2, 1784, under the call of the President of the Council, Meshech Weare who, although technically the Governor of the State, failed to show up for the session until the last day. History has a way of repeating itself, for the special subject matter of the short session which ensued had almost solely to do with how money should be

raised, for what purposes, and how much the legislators should pay themselves for mileage. During the one hundred and sixty-five years from then until now there has been no legislative body in the world more truly representative of the people who elected them. The symmetry of this body is often the awe, and sometimes the ridicule, of more august assemblies. Yet here we have the nearest thing that exists to real proportional representation, and the judgment of this General Court can be said to bear the truest relationship to the will of the people.

It is only natural that the composition of this Legislature should often be subject to marked change. You are composed of three hundred and ninety-nine representatives and twenty-four senators, and over a hundred of you have not served in this capacity before. Yet experience is not the only basis of able service. New members will often have a more completely objective point of view of this government. You can all render your State no greater service than to study and to understand what your government is and what it does, and to strive for a thorough conception of what it ought to do. When we understand, as well as we can, what the people of New Hampshire really want, and do more of those things, and then find out what they do not want and do less of them, we shall become representatives of the people in the truest sense of the word. We shall then contribute our full share to the support of liberty and of the union.

Going back over previous addresses made on this occasion, there has often been a recommendation for the early dispatch of your business and for brevity of the session. This is still a worthwhile objective, but the people of New Hampshire appreciate that this is a deliberative body which is confronted this year with aggravating problems. At no time has a legislative body in this State been in greater need for true understanding. Such knowledge can come only from the capacity to work and study, and the determination to think things through.

The work of many of you during the past two years is indicative of your capacity to do just this. The measures which were passed during this time have contributed to the state government a new sense of its responsibility and the public trust conferred upon it. The changes in the organization of government dictated by the last session have been carried through by willing and co-operative public servants who have

taken individual personal pride in making effective the reorganization legislation. None of us should make the mistake of assuming that the results of this work produced a perfect governmental organization. Both the characteristics and activities of government must change with the customs and needs of the people. If we will continually give consideration to the changes that will make for economy and efficiency, and at the same time truly reflect the opinion and the needs of our people, we shall have the best kind of government we can organize.

The recommendations expressed here two years ago have for the most part been adopted. You will recall that I directed attention to (1) the quality of our government, (2) the stability of our government, and (3) the character and extent of its services. The record is clear, I think, that the steps we have undertaken together to improve the state service have been productive of results. The formula for honest, capable, government is relatively simple. It is good laws, conscientiously administered by honest, capable men and women. That we have good laws is to the credit of generations of New Hampshire legislators. That we have able men and women is because they are simply characteristic of the people themselves.

With reference to the stability of our government, we are definitely not out of the woods. Although our operating budget was in balance at the time of the adjournment of the last regular session, the necessity of wage adjustments for employees, and the increased State participation in the Teachers' Retirement Program, resulted in a rate of expenditure in excess of income of one million, one hundred thousand dollars per annum. I have just completed a careful review of the budgets of the several departments. Before commencing the hearings on the same budgets, I made it plain to all departments that a careful and conscientious review of every item of expense must be made, and that only those requests to support services clearly mandated by the Legislature could be considered. If the requests for such funds were to be approved at their present level, allowing for increases in income, the requirements for cash over and above the rate approved in the budget of 1949 will be in the vicinity of six million dollars for the first year of the next biennium. This would represent the amount by which the State budget initially would be out of balance. In this figure I allowed for an increase of $600,000 for State Aid to local school districts.

These requests can be reduced to a considerable extent, but I believe it is doubtful if it will be possible to balance our budget by reductions in expenditures without curtailing substantially the services our government renders. Even after directing our full efforts toward making more of the services of our government self-supporting, it will not be easy to reduce the services of the dependent agencies to a point where our income will equal our expenses. Should this be done it would require a change in the statutes respecting such services as were to be curtailed or eliminated. This matter is having serious study.

It is again necessary that we review the rates of pay which our employees of State Government are now receiving. Since the salary levels for the heads of the various departments were fixed by the General Court in 1947, there has been a sharp increase in the cost of living. Even since we met together last Spring and adopted the new State Employee Reclassification Act, the cost of living has increased approximately five per cent. We are now reviewing the effect of these costs on all employees and recommend that you give consideration to the report which will be laid before you early in the session.

Two years ago I said that nobody in the State Government would lose his job because of administrative changes that Reorganization would cause. No one has. On the contrary, we have more people in State service, averaging to work less hours, earning more pay. This is the result of making uniform the hours of work performed by employees in the state institutions and of course the general increases in the wages of state employees. However, these changes can still contribute to economy if we all will realize that each one of us in government must give more to our jobs, must not waste time, and must yield a fuller measure of service. If there is anything worthwhile thinking about in these times it is how we are going to survive, keep our freedom and our solvency. Believe me, we cannot have one if we lose the other. I believe if we all would decide this year to give half a dollar more work for the dollar we receive we would all come pretty near getting back the half a dollar we are losing because our dollars are only worth half as much.

It is right for employees to organize but often they do not go far enough. When people join an organization they hope to get a dividend for a modest investment; a raise or a better

chance for a raise. What we shall have to do is to resolve to earn that raise by doing all we can to be worthy of it. What a salutary move it would be if one condition to membership in an employee organization was that every member live up to a high standard of work. The welfare and stability of the State of New Hampshire comes first. The pride we take in doing something which will make the people of the country proud of New Hampshire is the best advertising we can buy.

Unfortunately there is no easy answer to our financial difficulties. This problem must be approached with thought and with courage. It will be difficult to find a solution with patchwork methods. The time for consideration of a thoroughgoing review of our whole fiscal policy is probably at hand. I do not believe in the levying of excessive taxation upon the people of this state. First, it puts New Hampshire in the same class as other highly taxed states which are becoming increasingly unattractive to industrial opportunity. I want it to be a state of low taxes where we pay as we go. As individuals we can't do much about the United States government taking our taxes and giving us back only a percentage of those taxes in benefits. Yet this situation makes it more imperative that we avoid unreasonable internal taxes which only drive people into other states where they do not have them, if there be any left.

Here in New Hampshire we can still look at raising revenue rather differently. First, we can find out how many services the people want and then furnish them at the lowest possible cost. Among them are schools, the care of the poor and the sick, safe roads, and public areas maintained for their recreation. Now the price of these things is just about fixed in our budget. We refer to the price of these services as taxes, which of course it is. We ought, however, to say to ourselves that this is our share in the cost of providing the things we want and think we can afford. The old-timers had the right idea. When they wanted a church and a minister, each one paid his share of the cost. Whoever heard of a church member being taxed? It wasn't a tax, it was his share.

We ought to label every revenue bill in this state, "This is your share to pay for the services you receive from this state."

We have made considerable progress with administrative changes in this state government so that we know about what our costs are or ought to be under normal conditions. Under such conditions our normal income should meet our expenses.

But now we have another situation. We have a depreciated currency, and a mounting cost of living, which results in our having increased salaries to pay, higher welfare benefits to meet, and an increased state aid-to-education budget to provide. Therefore, what has been accomplished by economy and Reorganization has been in large part swallowed up by these new demands.

This is not a spendthrift government. To some considerable extent it is an economical and even a parsimonious government. It has become more so with the increasing demands put upon it with the debasing of the purchasing power of our currency. Here we are engaged in combat with a ruthless foe, the forces of inflation. This is exactly what the Communist Party stated it would do to us, for we have Lenin's own words spoken in 1924, "Some day we shall force the United States to spend itself into destruction." We shall have to work hard to prevent this happening, keeping in mind that the financial stability of the states must be maintained at all cost during this emergency.

The people of this state have had a chance during the past two years to discover a lot of things about the cost of running this government. They are now in a position where they can ask, through the Legislature, what are the things we ought to do more of, and what we ought to do less of, and to see that both are carried out. If it were practical it would be a good thing to levy special taxes for special purposes so that everybody could see what he was paying for and what he was getting for each investment. This is not possible in this complex day and age though it was possible when Meshech Weare was here as head of this government. It is therefore my job to report to you a budget based on how much it will cost to do the things you have voted should be done at the least possible cost consistent with today's conditions, and to report to you how much money we shall need to do these things. You will particularly want to know how much of this money we haven't got. It will then be up to you to decide whether or not you want to continue to do them, and if you do, to provide the money.

One thing is certain. We have to continue to bring an understanding to the people about the cost of having this wonderful thing we love and call New Hampshire. Just as it costs money to have a car, or a television set, or a new baby, it costs money to have New Hampshire. We like it, want to keep it, want it to look nice, in good repair, and to enjoy and have

fun in, and we know we can't have it that way unless somebody (and that is ourselves) pays the bills and doesn't just pass them on to somebody else like the boy in college who sends them to his Dad. Our government here cannot be a "good old Dad" however much it would like to be. Our people, just like those who work their way through college, have to work their way through New Hampshire, and they will probably be all the better for it once they settle down to realize that the blank checks are no good at the bank where there isn't any money.

I saw a cartoon the other day to illustrate what I mean. Mickey Mouse says to Krazy Kat, "Every day my mother asks my father for five pounds of candy, and the next day for ten pounds of candy, and the next day for five pounds more."

"My," says Krazy, "what does she do with all that candy?"

"She doesn't do anything with it," says Mickey. "He doesn't bring her any."

Of all the states in the Union, New Hampshire has perhaps the broadest inheritance of the economy instinct:

"To get up early and make the most of the day.
"To spend speech, labor, time and all essentials dearly
"Rarely to buy and patiently to mend."

Our program here is, by inheritance, a thrift program, a term much better than the name "austerity" which we misappropriated from the English.

Institutions

The final subject to which we have given a great deal of thought during this biennium has to do with the extent and kind of services provided by this government. We cannot measure human needs wholly by dollars and cents. It is nevertheless true that satisfying human needs means more dollars and cents than ever before in our history. Yet there are certain things which government does which it must do. In this irreducible field are the welfare and institutional services. Among these is our State Hospital. In this one institution alone there are as many beds as in all the general hospitals in the state combined. If those at the Laconia State School and the Sanatorium are added, we increase the excess by some eight hundred more. These institutions are doing a necessary work, but it is devoted in considerable part to the care of people who are never again to be normal citizens. We need to devote more attention to the ways and means to prevent the causes

that are at fault. Again, to think in terms of dollars, it will save the State over a thousand dollars a year for every person we can help *not* to go to these institutions. Even with the humane and generous spirit of our people in providing these facilities for the ill and unfortunate, and the many competent people who are voluntarily giving of their time and energy to assist in their operation, we are still failing to provide certain accommodations that are sorely needed. At the State Hospital roughly twenty-five percent are aged people. I have requested the Board of Trustees to prepare a plan for home care of such aged patients as may be safely and adequately provided for on some formula of State aid. This should reduce the population of the State Hospital which for the first time in history has reached a patient and parole load of over three thousand.

We need special facilities for the care of the defective delinquent, the mentally defective infant, and certain other special unique classes of cases. None of them can be properly cared for at our existing institutions. They create a difficult problem when admitted to an institution not designed, equipped, or staffed for such care. Alone, we can hardly offer separate institutions for such classes of cases. For some time the governors of Maine, New Hampshire, and Vermont have been considering this need and the means of providing for it by building and operating jointly such institutions. Legislation is presently being prepared for submission to the Congress providing for the authority to build such institutions as the Legislatures of these three states may wish to provide by joint agreement. Some time ago the governors appointed a Tri-State Committee to submit concrete recommendations. This Committee made a report indicating that the first need was an institution providing for the defective adult male delinquent.

Your support of this progressive and unique project will provide for institutions which New Hampshire cannot afford to build and operate by herself, but which the resources of the three states acting together can make possible not only in the field of special care for the unfortunate but perhaps for higher educational facilities as well.

Health and Welfare

The State continues to administer its health and welfare services as liberally and as generously as we can afford. It has increased welfare grants and has made every effort to improve its administration.

Congress has provided, through a recent act, for the availability of Old Age and Survivors Insurance to governmental employees not covered by any of the several employees retirement systems. I have asked legislation to be prepared to make it possible for the state to enter into an agreement with the Federal Government providing for this coverage for all state and local employees who elect to accept it. There are approximately 16,500 governmental employees in this state, of which only about 8,500 are presently covered under existing state retirement systems. It is further recommended that legislation be adopted in the immediate future providing for taking advantage of the benefits to the permanently and totally disabled.

Education

At the special session last year, State participation in the Teachers' Retirement System was substantially increased. To that extent, the profession of teaching in New Hampshire became more attractive. The need for more teachers in the foreseeable future is undeniable. It is proved by the statistics covering prospective scholars in the years immediately ahead. There is no reason why New Hampshire cannot supply this need. It has two teachers colleges graduating more than a sufficient number of candidates. However, local school districts must continue to be able to meet the competition for teachers elsewhere and to maintain salary levels commensurate with present living costs. The ability of towns and municipalities to support a reasonable local educational program lacks uniformity. A study of the taxable values and the amounts needed to support local government fully bears this out. The financial assistance now given by the State to local school districts under the equalization formula is inadequate. Moreover the formula is illogical and insupportable. The State Board of Education has recommended a formula based on exhaustive studies and determination of the need of each school district. Such a formula could not possibly be wholly satisfactory. It must reflect the extent of the inability of the local municipality or town to support adequately a minimum program, and such inability must be carefully rationalized. Based on the formula which has been proposed, the total amount spent for State aid should be in the vicinity of $1,000,000 a year. I hope that the committees of the Legislature will give thoughtful and earnest

study to the formula which the State Board has suggested. To the extent such formula is amended, the changes should be further conditioned on need rather than upon right.

The outlook for enrollment at our University is extremely uncertain. The Board of Trustees will wish to present to the Legislature as complete and accurate a report as is possible under the circumstances. The State is fortunate in having had the services of an interim committee partly composed of members of this body, which has looked into the affairs of this institution and whose report may be relied upon.

The University has lately had a change in its administration. In my opinion, its progress in meeting the responsibilities of a top grade institution of higher learning has been most gratifying. The opportunity it renders to New Hampshire boys and girls for a first-class education is excelled by few institutions in the country. That this is so is in large part due to the support which the General Court has given it. If education is the greatest gift in the power of the State to bestow, as well as its first responsibility, the University continues to be one of the most productive means to this end.

Natural Resources and Recreation

The Council on Natural Resources has been the source of much stimulating thinking. With the initiation of a Federal program purporting to find facts about the resources of the northeast, it is clear that if the decisions about the use of our resources are to remain with our people it is time that we learn how to make more decisions. The Council is making this possible and, in view of their recommendations, proposals will be made concerning State policy regarding running water, the development of an anti-pollution program, the encouragement of good forest practices, and the conservation of our recreational resources.

You can take some considerable satisfaction in the development of our system of recreational facilities. For the development of the Notch areas, the State parks, and camping and picnic grounds, we are building a sound and adequate system for ourselves and our visitors alike. The Legislature of 1947 authorized a bond issue for the acquisition and development of recreational sites approved by the Forestry and Recreation Commission. Of this authorization there expired in 1950 $272,000 by time limitation. I recommend that the authority

to expend the unused balance be renewed. There are still a number of sites and developments that should be owned by all of our people for the benefit of everyone who desires to use them. Their protection and conservation is distinctly in the public interest.

Our seacoast provides an important part of our recreational income. It is suffering considerable deterioration by pollution and erosion. The Legislature should give this early consideration so that a state policy may be adopted that will provide for such measures as may be advisable to preserve and protect this great natural asset.

The operation of the forest yield tax law is on the whole satisfactory. The attention of both the Tax Commission and the Forestry Department is being directed towards improvements in the operation of the law which should have the consideration of the appropriate committees of this Legislature. In the first year of the operation of this Act, it was estimated that the loss to the towns, due to postponing the tax on standing timber would amount to $300,000 and for this purpose a bond issue was authorized. The actual amount is estimated to be $355,000, and I ask that you authorize an increase in the bond issue to that amount.

Planning and Development

We have given a great deal of attention to the methods which State Government should employ to aid manufacturers in New Hampshire, and to induce others to locate here. The State has benefited by much advice and study, and we are presently putting this advice to work. Our industrial department in the Planning and Development Commission has been strengthened by the addition of personnel, and we are profiting from this investment in terms of new industries. As a state, we have stood squarely behind the development of a steel enterprise for New England, and we believe that this will become a reality. Wherever it is located, New Hampshire will receive much benefit and its industries a great impetus.

We are seeking to assist in a variety of industrial fields, in the business of winter recreation, for instance. We propose to assist the officials in local communities to establish industrial promotion organizations and then to assist those organizations in obtaining industry wherever possible. I am glad to be able to report that as a result of our increased in-

dustrial promotional activity we not only have a formidable list of prospects but have actually a tangible list of accomplishments as well. This work under the auspices of the Planning and Development Commission should be encouraged and supported.

We are giving considerable study to the advertising program which the State should adopt. Again we are fortunate in having an able and representative committee of interested people who are experienced in the field of promotion to advise us in this regard.

Highway

The progress in planning in the Highway Department is conclusively indicated by the program recently issued by the Department. I suggest that the appropriate committees of the Legislature review carefully this program and obtain a complete review of the accomplishments of the department during the biennium. In my judgment they are substantial.

We are still faced with a serious highway problem. Many miles of all types of highways do not meet standards required to give safe, efficient public service. The problem has become intensified because of ever increasing traffic demands, particularly since the war. Due to a considerable extent to restrictions on construction and maintenance during World War II, and a restricted program due to the sharp advances in construction and maintenance costs, roads were wearing out faster than we were building them. The sharp upsurge in use of highways has been especially evident in New Hampshire this year when our increase in total road traffic over the previous year was, with the exception of Connecticut, the highest in New England.

In ever greater areas the highway network is becoming the best, if not the only, available transportation system. The State Primary and Secondary highways carry the bulk of the traffic and necessarily must receive first consideration.

Urban areas are facing problems of congestion on their main streets. These streets in many cases are the extensions of the State highway system. Certain Federal funds are available only for the improvement of traffic conditions within urban areas and probably in some measure the state should share the expense of these projects. Town roads constitute more than half of the total road mileage but carry a very

small percentage of the traffic. Of this mileage, rural mail and school bus routes are of more importance to the community and warrant improvement for year around travel in accordance with their use and value.

A sound, well-balanced program based on needs with the proper emphasis placed on all types of highways and with all agencies contributing their proper share of the cost will be presented for your consideration. This program will require provision of an increased annual income for highway purposes, but overall expenditures are substantially at the same level as 1950. The program to be presented is based on highly conservative financial considerations.

Adequate support of this program is essential if continued progress in the modernization and standardization of our roads is to be accomplished. The department has been substantially reorganized and is staffed and equipped to continue to make real progress, and has the vision and capacity to do so. I do not propose to go into detail concerning its needs at the present time, but I endorse wholeheartedly the progressive program which the department has adopted and ask that you provide the means for supporting it.

Public Service Commission and the Utilities

You have provided for a committee to review thoroughly the laws under which the Public Service Commission operates. In addition, Governor and Council have taken the responsibility of adding to the duties of this committee by requesting an inquiry into the facilities available to the Commission. I have already given attention to the reorganization of the Commission. Equally as important, the changes which will be recommended by the committee to this Legislature deserve a thorough-going study and constructive action. The activities of the Commission and the laws under which it operates affect the welfare of almost every New Hampshire citizen, and certain changes in this department have been long overdue.

Agriculture

Farmers are not among those receiving higher income during the past two years. This is through no fault of their own unless it be the fault of their ingenuity in maintaining a high volume of farm production, resulting in surpluses which have reduced the returns for their products. This has

occurred largely in dairy, poultry, and apple enterprises but all farmers have shared in this reduction. Recognizing the trend, all progressive farmers are making a real attempt to reduce the increasing costs by taking advantage of more machinery and electrical equipment, adopting more efficient methods, better breeding and feeding formulae, and increasing the efficiency of their operations.

Farmers are furnishing better packaged and graded products. For instance, in poultry, nearly two million birds were tested last year with less than two hundred pullorum reactors. This probably is a low record for the country. The growers have paid for this testing program themselves.

The progress in brucellosis and tuberculosis eradication has been most gratifying. Both diseases are at the lowest point in history. New Hampshire is the second state to become a modified accredited area with respect to brucellosis. Because of this progress in eradication and vaccination it will not be necessary to have as much money for this work as in the past.

It is estimated that our farmers have expended over a million and a half dollars of their own money during the past two years in improving their pastures, and in providing drainage in farm ponds for irrigation purposes. Farmers who have given generously of their time to this work are entitled to much credit for this progress. It is refreshing to point out that this work has been done by the farmers themselves, the sub-district supervisors receiving no pay for their time, and that the State has been called upon to make no financial contribution whatever.

The Bureau of Weights and Measures has restudied the field of its services and recommends that the division be put on a self-sustaining basis. Fees can be low, with a base broad enough to cover the entire field. Uniformity of fees between municipalities and the States should be brought about.

Poultry farmers of the State should have more adequate protection with reference to poultry buyers and an adequate poultry dealers' bonding law should be enacted by this Legislature. The Department of Agriculture is working on such a proposal which will shortly be reported to you.

Labor

I would like to see New Hampshire advertised all over the United States as the one state where no strikes occurred in 1951. If employers and employees would resolve that this country must be put on its feet to fight a war that might come, and therefore to arbitrate or conciliate differences, we would be exercising the kind of leadership for which New Hampshire has been noted. We can do this if we will all work together, where nobody tries to take advantage of the other fellow. When everybody resolves that we will get along with each other, it may be tough, but it is a lot better than having to become a Communist. If we have Communism we have nothing. If we keep splitting into groups it will be just what the Communists want and will support. The government then will direct everything and none of us will own much of anything.

Civil Defense

The final matter I shall discuss concerns all of us and may be so important that I put it at the end for emphasis. This is the subject of the civil defense of our state against acts of an alien enemy. To begin with, we shall have to keep constantly in mind that in these days infiltration tactics are constantly employed and we may be confronted with more enemies from within than from without. To guard against this we must be vigilant and have constant knowledge of the allegiance and loyalty of our associates, our employees, and others who come under our observation. There is every reason to expect that the activities of aggressive Communism will be directed to sabotage and to crippling the productive resources of our country. Both Federal and State civil defense establishments are directing a great amount of attention to this possibility and the means to combat it.

For some months we have had a Civil Defense organization. In many respects it has been difficult to get volunteers to give of their time and talent to this work. Yet it is necessary work and it must be accomplished. The extent of the establishment may have to be increased enormously. Therefore, the adequate support of this organization is imperative.

In addition to the personnel already engaged in this work the need for mobile defense units is now evident and they are in the process of being organized. Under the Federal

Civil Defense Act, at long last adopted, this state is now prepared to give attention to what is expected of us, though much of the information we need is still obscure. The questions of stock piling supplies and equipment, providing underground shelters, increasing fire fighting equipment, and similar requirements have not yet been appraised. Whether it will be advisable for this state to expend a substantial amount of money for these purposes is not entirely evident. As long as this General Court is in session this need can be provided whenever required. Upon your adjournment I recommend that considerable discretion be given to Governor and Council as to the extent of the investment in Civil Defense. We could conceivably be in for the outlay of a very substantial amount of money, though it would be unwise to make appropriations for this purpose to any such extent until it becomes more clearly evident as to our need. There are, however, certain outlays which we shall have to make, and promptly. It will be necessary to renew certain emergency powers for possible exercise by Governor and Council. A report of this need will be made to you and adequately supported. Up to date, proper Federal liaison has not been possible but the Congress has finally provided for such liaison by creating a district Civil Defense office. We shall shortly be able to call on such a Federal regional officer for recommendations from the Federal Government as to defense procedures in this state. For the most part we can provide our own establishment and support our own defense when we know what is required.

Under the authority given me to enter into Civil Defense agreements, I have executed the compact for inter-state mutual assistance and submit this compact to you for ratification. It has been most carefully prepared under the auspices of the Attorneys-General of the several states, of which committee the Attorney-General of New Hampshire was chairman.

There is much pride in working with New Hampshire people, in the lift which the response to a call to duty gives. The call to duty, not only in ordinary civil pursuits but the needs of defense, will result in even greater and more generous service on the part of all people who are asked to help. The service given the National Guard is now proving its worth. The Civil Defense Agency will likewise be important. I call upon every able bodied person to support and defend the Constitution of this state and of the United States, and to be

willing to give of his energy and talents as may be needed to meet whatever emergency may arise. With the right spirit of our people joining with all Americans throughout this land we cannot fail to maintain "liberty and union, now and forever, one and inseparable."

Before I close, I should like to express the appreciation I feel for the help so many of you have given to the projects which have been accomplished during the last two years. Your contribution has been in the highest ideals of service. The conscientious devotion which the members of my Council have given to their duties has been of great and sustaining inspiration to me. With the same spirit of service, the work which we are about to commence together will have equally productive results. To get this work done is an opportunity which I know you all welcome, and the results of it I am sure will be in keeping with the great traditions of this great state.

Benediction was offered by the Rt. Rev. Charles F. Hall.

On motion of Senator Brown of District No. 9, the convention rose.

Resolution

On motion of Mr. Ferguson of Pittsfield:

Resolved, That the House of Representatives has listened with gratification to the message of Governor Sherman Adams and hereby expresses to him the high esteem in which we hold him.

On motion of Mr. Oakes of Columbia at 12:55 o'clock the House adjourned.

TUESDAY, JANUARY 9, 1951

The House met according to adjournment.

Prayer was offered by Rev. Austin H. Reed of Goffstown.

Almighty God, the giver of all good, we beseech Thee to look upon us, and upon all the people of this great land. Undeserving though we are, Thou hast made us great among the nations of the earth. Let us not forget that this place and this power come of Thee, and that we have them as a trust

to use in Thy service. Make us keenly sensible of the stewardship that is ours because of Thy generous providence toward us. Help us to show our thanks to Thee by honest patriotism and sincere service to our state and to our country; through Jesus Christ our Lord. Amen.

Leaves of Absence

Mr. Doonan of Greenville was granted leave of absence for the day on account of important business.

Mr. Geisel of Manchester was granted leave of absence Tuesday and Wednesday on account of illness.

Messrs. Sawyer of Concord, Nolan of Manchester and Hall of Marlboro were granted leave of absence for the week on account of illness.

Mr. Nawn of Concord was granted leave of absence until further notice on account of illness.

Petition Presented and Referred

By Mrs. Atwood of Sanbornton, petition of Lyle R. Heath, praying for a seat in the House.

Presented and referred to the Committee on Elections.

Attachees Appointed

The Speaker announces the following appointments of attachees, each appointment being conditional upon the agreement of the appointee not to charge in excess of 50 miles mileage in case his actual mileage should exceed such limit:

Custodian of Mails and Supplies, Frank N. Jordan of Concord.

Library Messenger, Carl E. Wallace of Laconia.

Telephone Messenger, Lloyd E. Fogg, of Milan.

Warden of Coat Room, Oney Russell of Claremont.

Assistant Warden of Coat Room, John W. Todd of Goffstown.

Speaker's Page, H. Furber Jewett of Wolfeboro.

Division Pages, James Martin of Concord, Francis W. Tolman of Nelson, William J. Clough of Haverhill, Andrew L. Bouchard of Dover, George T. Heon of Derry.

Report of Special Commission

Jan. 9, 1951.

MR. LANE DWINELL,
Speaker of the House,
1951 General Court,
State House,
Concord, N. H.

DEAR MR. DWINELL:

I hand you herewith the report of the special commission authorized by the General Court in 1950, in special session, to study the future policies and financing of the University of New Hampshire. Four separate bills, designed to implement the recommendations of the commission, are being prepared and will be introduced by the members of the commission who serve also as members of the General Court.

Your respectfully,

JAMES M. LANGLEY,
Chairman

The report was filed with the Clerk.

NOTE: Report to be printed in pamphlet form and distributed to the General Court.

Resolution

Mr. Pillsbury of Manchester offered the following resolution:

Resolved, That a committee of three be appointed by the Speaker to prepare a fitting resolution extending the congratulations of the House to Mr. and Mrs. Sherman L. Greer on their 60th wedding anniversary.

On a *viva voce* vote the resolution was adopted.

The Speaker appointed as members on such committee Messers. Pettigrew, Geisel and Sullivan of Manchester.

Special Committee Report

Mr. Scamman of Stratham, for the Committee on Assignment of rooms, submitted the following report:

Agriculture—Room right entrance, Armory

Appropriations—Room 318, State House

Aviation—Liquor Commission, Patriot Biulding

Banks—Room 301, State House

Education—Library Education Dept., State House Annex

Elections—Room 410, Annex

Engrossed Bills—Secretary of State

Executive Departments and Administration—Room 317, State House

Fisheries and Game—Legislative Lounge

Forestry and Recreation—Conference Room in Forestry Department.

Insurance—Legislative Lounge

Interstate Co-operation—Secretary of State

Judiciary—Room 308, State House

Labor—Room right entrance, Armory

Liquor Laws—Liquor Commission, Patriot Building

Mileage—Room 317, State House

Military and Veterans' Affairs—Room left entrance, Armory

Municipal and County Government—Legislative Lounge

Public Health—Room left entrance, Armory

Public Welfare and State Institutions—Room left entrance, Armory

Public Works—Room 305, Annex

Rules—Speaker's Office

Transportation—Room 305, Annex

Ways and Means—Room 207, Annex

Journal—Clerk's Desk

The report was accepted.

Committee Appointments

The Speaker announced the following appointments of standing committees:

Note — Room assignment announced herein may be changed until committee booklet is printed.

AGRICULTURE

Room — Right Entrance — Armory

Brown of Strafford, Chairman
Bunten of Concord, Vice-Chairman

Chamberlain of Bath
Cummings of Peterborough
Gould of Colebrook
Chamberlin of Haverhill
Ellingwood of Northumberland
Benson of Conway
Thurlow of Hampton Falls
Bascom of Acworth
Freeman of East Kingston
Smith of Loudon
Dame of Portsmouth
Burrill of Monroe
Lagueux of Somersworth
Stackpole of Dover
Eastman of Kensington
Clancy of Manchester
Sewall of Newmarket
Gilbert of Wentworth
Pierce of Plainfield

APPROPRIATIONS

Room 318 — State House

Sanborn of Wakefield, Chairman
Pillsbury of Manchester, Vice-Chairman

Bell of Plymouth
Henderson of Durham
Cummings of Colebrook
Tilton of Laconia, Ward 3
Hart of Wolfeboro
Green of Concord
Merrill of Hampton
Scamman of Stratham
Rowell of Newport
McDaniel of Nottingham
Billings of Westmoreland
Fernald of Rochester
Evans of Lancaster
Ferguson of Pittsfield
Goodwin of Hollis
Kelley of Littleton
Barry of Wilton
Baron of Claremont
Betley of Manchester

AVIATION

Liquor Commission — Patriot Bldg.

Brown of Laconia, Chairman
Hines of Windsor, Vice-Chairman

Cushing of Derry
Huckins of Plymouth
Smart of Portsmouth
O'Neill of Keene
Mason of Hill
Simonds of Lancaster
McHugh of Wolfeboro
Tebbetts of Concord
Wilman of Northfield
Ingraham of Portsmouth
Marcotte of Dover
Maynard of Nashua, Ward 5
Benoit of Manchester
Sheridan of Berlin
Cannon of Manchester
Baron of Allenstown
Nolan of Manchester
Chartrain of Nashua
Shea of Manchester

BANKS

Room 301 — State House

Geisel of Manchester, Chairman
Locke of Dover, Vice-Chairman

Towle of Epsom
Blodgett of Concord, Ward 8
Collins of Lisbon
Peaslee of Merrimack
Pettigrew of Manchester
Kennedy of Concord
Clark of Derry
Sheehy of Newfields
Burnham of Alstead
Weeks of Gilford
Donnelly of Manchester
Spaulding of Nashua
Daniel of Manchester
Marcotte of Claremont
McCarthy of Manchester
Sullivan of Berlin
Delisle of Manchester
Payeur of Pembroke
Marquis of Nashua

EDUCATION

Library Education Dept. — State House Annex

Carter of Cornish, Chairman
Atwood of Sanbornton, Vice-Chairman

Durkee of Seabrook
Landers of Keene
Griffin of Auburn
Clarke of Canaan
Swain of Barrington
Record of Nashua
Sawyer of Wilmot
Bluitte of Raymond
McAllister of Barnstead
Vaughan of Newport
Howard of Piermont
Powell of Sutton
Woodward of Waterville
Sawyer of Woodstock
Shields of Berlin
Osborne of Gilmanton
Fecteau of Epping
Beale of Hooksett
Walsh of Keene

ELECTIONS

Room 410 — Annex

Willey of Campton
Kennedy of Manchester
Nelson of Milford
Roche of Manchester
Sawyer of Woodstock

ENGROSSED BILLS

Secretary of State

Jackson of Dublin
Holmes of Amherst
Landers of Keene
Corliss of Manchester
Shields of Berlin

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

Room 317 — State House

McMeekin of Haverhill, Chairman
Crosby of Hillsborough, Vice-Chairman

Nelson of Milford
Ashley of Lebanon
Holmes of Amherst
Haigh of Salem
Richards of Exeter
Davis of Hopkinton
Freeman of Concord
Bennett of Keene
Tuttle of Atkinson
Reed of Goffstown
Hepworth of Derry
Young of Pittsfield
Griffin of Lincoln
Normandin of Laconia
Dondero of Portsmouth
Cater of Somersworth
Moffett of Berlin
Janelle of Nashua
Fitzgerald of Manchester

FISHERIES AND GAME

Legislative Lounge

Washburn of Bartlett, Chairman
Nicoll of Bow, Vice-Chairman

Knox of Sandwich
Kimball of Jefferson
Sargent of Danbury
Rhodes of Walpole
Felker of Dover
Hodgdon of Tuftonboro
Putney of Andover
Christopher of Northumberland
Anderson of Warren
Metcalf of Tilton
Hilliard of Pittsburg
Lindahl of Deerfield
Avery of Ellsworth
Rolfe of Rochester
Getz of Manchester
Dwyer of Manchester
Stinson of Stratford
Soucy of Manchester
Dussault of Berlin

INSURANCE

Legislative Lounge

Fuller of Hanover, Chairman
Lamson of New London, Vice-Chairman

Abbott of Hudson
Codding of Keene
Kendall of Exeter
Hambleton of Goffstown
Putnam of Hampstead
Crandall of Dover
Maxwell of Henniker
Randall of Lebanon
Oakes of Columbia
Ashley of New Ipswich
Dionne of Nashua
Cormier of Nashua
Sweeney of Manchester
LaBranche of Franklin
Chapdelaine of Manchester
Kean of Manchester
Boutin of Belmont
Grandmaison of Nashua
Roy of Berlin

INTERSTATE CO-OPERATION

Secretary of State

The Speaker
Peever of Salem
Hart of Wolfeboro
Pickett of Keene
Normandin of Laconia

JOURNAL

Clerk's Desk

The Speaker
Towle of Epsom
Horner of Thornton

JUDICIARY

Room 308 — State House

Turner of Keene, Chairman
Perkins of Concord, Vice Chairman

Tilton of Laconia, Ward 4
Wadleigh of Milford
Holden of Hanover
Cooper of Nashua
Hamilton of Lisbon
Jones of Lebanon
Tobey of Concord
Brungot of Berlin
Wells of Newton
Matthews of New Hampton
Studley of Rochester
Perry of Jaffrey
Hill of Conway
Taylor of Whitefield
Pickett of Keene
Sawyer of Concord
Pelletier of Nashua, Ward 8
Bailey of Newport
Healey of Manchester, Ward 6

LABOR

Room Right Entrance — Armory

Kennedy of Manchester, Chairman
Angus of Claremont, Vice-Chairman

Lamprey of Moultonboro
Harrington of Bethlehem
Emerson of Dalton
Hall of Marlboro
Gay of Derry
Kirk of Keene
Wilson of Antrim
Lecompte of Fremont
O'Neil of Concord
Hazelton of Chester
Brosnahan of Nashua
Coffin of Somersworth
Martel of Manchester
Sullivan of Manchester
Lang of Troy
Fontaine of Berlin
Charland of Franklin
Boisvert of Nashua
Pelletier of Nashua, Ward 9

LIQUOR LAWS

Liquor Commission — Patriot Building

Foote of Portsmouth, Chairman
Poore of Goffstown, Vice-Chairman

Karkavelas of Dover
Erwin of Keene
Tilton of Concord
Yeaton of Portsmouth
Corbett of Concord
Hurd of Concord
Aylward of Walpole
Gingras of Ashland
Nahil of Claremont
Danforth of Manchester
McCaffery of New Castle
Kazakis of Manchester
Leary of Portsmouth
Healey of Manchester, Ward 5
LaBranche of Newmarket
St. Pierre of Rochester
Auger of Manchester
Gauthier of Manchester
Boire of Nashua

MILEAGE

Room 317 — State House

Crandall of Dover
Clark of Derry
Kennedy of Concord
Delisle of Manchester
Bouchard of Berlin

MILITARY AND VETERANS' AFFAIRS

Room — Left Entrance — Armory

Black of Bennington, Chairman
Chase of Dover, Vice-Chairman

Winters of Rochester
Colcord of Plaistow
Thompson of Laconia
Collins of Keene
Means of Milan
Milligan of Newbury
Ring of Hampton
Worcester of Swanzey
Flanders of Manchester
Flanagan of Dover
Vaillancourt of Manchester
Bouthillier of Nashua
LaForce of Berlin
Gagnon of Manchester
Dupont of Nashua
Carroll of Dover
Dodge of Concord
Kane of Manchester
Bouchard of Berlin

MUNICIPAL AND COUNTY GOVERNMENT

Legislative Lounge

Green of Rollinsford, Chairman
Willey of Campton, Vice-Chairman

French of Weare
Horner of Thornton
Smith of Meredith
Gardner of Littleton
Walker of Hinsdale
French of Bedford
Ayotte of Franklin
Hadley of Dunbarton
Wastcoat of Candia
Maxfield of Rochester
Converse of Claremont
Placy of Stewartstown
Maloney of Gilsum
Davis of Portsmouth
Desilets of Berlin
Cary of Manchester
Carton of Claremont
Ryan of Nashua
Marcoux of Manchester

PUBLIC HEALTH

Room — Left Entrance — Armory

Eldredge of Exeter, Chairman
Corliss of Manchester, Vice-Chairman

Callum of Unity
Lorden of Enfield
Sukeforth of Portsmouth
Ramsdell of Nashua
Saltmarsh of Concord
Hall of Londonderry
Pinkham of Northwood
Wheeler of Keene
Ellsworth of Boscawen
Libby of Brentwood
Ferrin of Concord
Dustin of Rochester
Simoneau of Laconia
Roy of Manchester
Shea of Nashua
Constant of Manchester
Zyla of Manchester
Gorham of Manchester
Ellis of Manchester

PUBLIC WELFARE AND STATE INSTITUTIONS

Room — Left Entrance — Armory

English of Hancock, Chairman
Barney of Rumney, Vice-Chairman

Williams of Grafton
Martin of Littleton
Nawn of Concord
Frizzell of Charlestown
Loiselle of Concord
Millar of Claremont
Perkins of Alton
Mailloux of Pelham
Philbrick of Rye
O'Shan of Laconia
Fellows of Dover
LaCasse of Rochester
Ecker of Manchester
Farwell of Brookline
Lea of Pembroke
Lareau of Manchester
Caldwell of Lee
Maynard of Nashua, Ward 3
Proulx of Manchester

PUBLIC WORKS

Room 305 — Annex

Ingham of Winchester, Chairman
Falconer of Milford, Vice-Chairman

Chandler of Warner
Sterling of Hillsborough
Moore of Bradford
Durell of Portsmouth
Horne of Milton
Adams of Lebanon
Rines of Carroll
Perry of Newport
Crafts of Holderness
Morey of Hart's Location
Remick of Tamworth
Carter of North Hampton
Spaulding of Hudson
Letourneau of Somersworth
Burke of Franklin
Hinchey of Berlin
Downey of Manchester
Connor of Manchester, Ward 3
Shaheen of Dover

RULES

Speaker's Office

The Speaker
Sanborn of Wakefield
Turner of Keene
Bass of Peterborough
Dort of Chesterfield
Pickett of Keene
Barry of Wilton

RESOURCES, RECREATION AND DEVELOPMENT

Conference Room Forestry Dept.

Dort of Chesterfield, Chairman
Grass of Franconia, Vice-Chairman

Rathbun of Harrisville
Underhill of Nashua
Hart of Laconia
Cole of Lebanon
Ransom of Meredith
Parker of Farmington
Jackson of Dublin
Thompson of Winchester
Locke of New Boston
Bonney of Greenland
Pushee of Lyme
Blodgett of Concord, Ward 4
Doonan of Greenville
Wedick of Manchester
Fraser of Gorham
Belcourt of Nashua
Dudevoir of Hooksett
Morel of Berlin
Roukey of Manchester

TRANSPORTATION

Room 305 — Annex

Leach of Rochester, Chairman
Miller of Fitzwilliam, Vice-Chairman

Marden of Chichester
Nickerson of Madison
Chase of Franklin
Bissonnett of Claremont
Holden of Newington
Gamsby of Sunapee
Sleeper of Haverhill
Blanchard of Farmington
McNeill of Kingston
Darbe of Danville
Ewing of Laconia
Vogel of Canterbury
LaFlamme of Manchester, Ward 12
Thibodeau of Manchester, Ward 13
Cote of Nashua
Cavanaugh of Manchester
Henderson of Berlin
Roche of Manchester

WAYS AND MEANS

Room 207 — Annex

Bass of Peterborough, Chairman
Peever of Salem, Vice-Chairman

Spofford of Jaffrey
Hazelton of Chester
Keller of Laconia
Sherwin of Rindge
Plumer of Bristol
Brunel of Concord
Rathbone of Exeter
Downs of Conway
Cummings of Lyndeborough
Waterhouse of Windham
Smith of New Durham
Brooks of Claremont
Kershaw of Swanzey
Atkins of Hanover
Malley of Somersworth
Malloy of Gorham
Moulton of Ossipee
Kearns of Manchester
Casey of Manchester

The Chair announced that for this session the duties of Majority Leader will be performed by the Chairman of the Appropriations Committee, the member from Wakefield, Mr. Sanborn.

Personal Privilege

Mr. Turner of Keene rose to a point of personal privilege and stated that he was submitting his resignation as Chairman of the Judiciary Committee.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Mr. Holden of Hanover, House Bill No. 1, An act defining the application of certain statutes relative to liens for labor and materials. To the Committee on Judiciary.

By Mr. Wadleigh of Milford, House Bill No. 2, An act relating to the change of name of the Milford Building and Loan Association. To the Committee on Banks.

By Mr. Kane of Manchester, House Bill No. 3, An act relating to the admission to the bar for veterans. To the Committee on Judiciary.

By Mr. Black of Bennington, House Bill No. 4, An act naming the summit of Wolf Hill in Deering. To the Committee on Resources, Recreation and Development.

By Mr. Black of Bennington, House Bill No. 5, An act prohibiting the use of power boats on Lake Whittemore in the town of Bennington. To the Committee on Resources, Recreation and Development.

By Mr. Rathbun of Harrisville, House Bill No. 6, An act relative to leasing of privileges and concessions on state forests and reservations. To the Committee on Resources, Recreation and Development.

By Mr. Kane of Manchester, House Bill No. 7, An act relating to mortuary regulations for veterans. To the Committee on Public Health.

By Mrs. Wastcoat of Candia, House Bill No. 8, An act relating to the manner of folding and depositing ballots. To the Committee on Judiciary.

By Messrs. Ingham and Thompson of Winchester, House Bill No. 9, An act legalizing the biennial election in the town of Winchester. To the Committee on Municipal and County Government.

By Mr. Holden of Hanover, House Bill No. 10, An act relative to conduct of elections in towns. To the Committee on Judiciary.

By Mr. Sanborn of Wakefield, House Bill No. 11, An act relating to election of budget committee members-at-large. To the Committee on Municipal and County Government.

By Mr. Brown of Strafford, House Bill No. 12, An act relative to marking on closed packages of apples. To the Committee on Agriculture.

By Mr. Griffin of Lincoln, House Bill No. 13, An act relative to election of members of the school board of the school district of Lincoln. To the Committee on Education.

By Mr. Holden of Hanover, House Bill No. 14, An act imposing certain accounting duties upon the state treasurer. To the Committee on Executive Departments and Administration.

By Mr. Tobey of Concord, House Bill No. 15, An act relative to the filing of campaign receipts and expenditures by political committees. To the Committee on Judiciary.

By Mr. Hart of Wolfeboro, House Bill No. 16, An act relative to the charter of Mount Prospect Lodge No. 69. To the Committee on Executive Departments and Administration.

By Mr. Spaulding of Hudson, House Bill No. 17, An act to discharge the judgment of the State of New Hampshire against F. Gordon Kimball. To the Committee on Judiciary.

By Mr. Pillsbury of Manchester, House Bill No. 18, An act to change the corporate name of the Hillsborough County Savings Bank. To the Committee on Banks.

By Mr. Hart of Wolfeboro, House Bill No. 19, An act relative to military leave for state employees. To the Committee on Executive Departments and Administration.

By Mr. Brown of Laconia, House Bill No. 20, An act relative to liquor licenses for restaurants. To the Committee on Liquor Laws.

Resolutions

Mr. Willey of Campton offered the following resolution:

Resolved, That the Clerk, with the approval of the Speaker, may employ such stenographic and other clerical assistance as they may deem necessary, to be as follows: Speaker's stenographer, stenographer for Judiciary Committee, stenographer for Appropriations Committee, mileage clerk, up to three stenographers for the House, one messenger for Judiciary Committee and one messenger for Appropriations Committee.

On a *viva voce* vote the resolution was adopted.

Mr. Henderson of Durham offered the following resolution:

Resolved, That the Clerk be instructed to procure 1500 copies of standing committees in booklet form.

On a *viva voce* vote the resolution was adopted.

Mr. Ferguson of Pittsfield offered the following resolution:

Resolved, That the Clerk be instructed to procure 1000 copies of the Governor's inaugural address, to be printed in pamphlet form.

On a *viva voce* vote the resolution was adopted.

Mrs. Holmes of Amherst offered the following resolution:

Whereas, we have learned with sorrow of the death of Charles A. Tracy, former Representative from the town of Amherst, therefore be it

Resolved, That we pay tribute to our fellow member for his faithful service to his town and state, and be it further

Resolved, That we send our sincere sympathy to his family in their bereavement, and that a copy of these resolutions be sent to his widow.

The resolution was unanimously adopted by a rising vote.

The Speaker appointed as members of the committee, to attend the funeral of Mrs. Holmes of Amherst, Messrs. English of Hancock, Farwell of Brookline, Fuller of Hanover, Wadleigh of Milford, Reed and Hambleton of Goffstown.

Mr. Martel of Manchester offered the following resolution:

Whereas, we have learned with sorrow of the death of Omer Amyot, a former member of the Finance Commission and City Solicitor for the City of Manchester, therefore be it

Resolved, That we, the members of the House of Representatives, extend our sympathy to the members of the family of the deceased, and be it further

Resolved, That a copy of these resolutions be transmitted by the Clerk to the family.

On a *viva voce* vote the resolution was adopted.

Mr. Sullivan of Manchester offered the following resolution:

Whereas, we have learned of the illness of Thomas Nolan,

a former and present representative from Manchester, therefore be it

Resolved, That we, the members of the 1951 House of Representatives extend our heartfelt sympathy to our fellow member, and our best wishes for a speedy recovery to health, and be it further

Resolved, That the Clerk transmit a copy of these resolution to Mr. Nolan.

On a *viva voce* vote the resolution was adopted.

Mrs. Corliss of Manchester offered the following resolution:

Whereas, we have learned of the illness of Mrs. Florence Danforth of Manchester, former member of the House of Representatives and Doorkeeper at the 1949 Session, who was severely injured in a automobile accident, there be it

Resolved, That we, the members of the 1951 House of Representatives, extend our heartfelt sympathy to our former member and attache in her illness and our best wishes for a speedy recovery to health, and be it further

Resolved, That the Clerk transmit a copy of these resolutions to Mrs. Danforth.

On a *viva voce* vote the resolution was adopted.

Mrs. Goodwin of Hollis offered the following resolution:

Resolved, That the rules regarding smoking during the sessions of the House which were observed during previous sessions be in force for this session.

The question being on the resolution.

(Discussion ensued)

Mr. English of Hancock spoke in favor of the resolution.

Mr. Sanborn of Wakefield spoke in favor of the resolution.

On a *viva voce* vote the Chair was in doubt.

Mr. Wadleigh of Milford asked for a division, but subsequently withdrew his request and asked for another *viva voce* vote.

On a *viva voce* vote the resolution was adopted.

Special Order

Mr. Hart of Wolfeboro called for the special order.

It being, the drawing of seats.

Mr. Hart of Wolfeboro announced that the seat numbers were ready at the Sergeant-at-Arms room.

On motion of Mr. Wadleigh of Milford the House adjourned from the morning session.

On motion of Mr. Wadleigh of Milford, business in order at 3:00 o'clock was made in order at the present time.

On motion of Mr. Erwin of Keene at 12:01 o'clock the House adjourned.

WEDNESDAY, JANUARY 10, 1951

The House met according to adjournment.

Prayer was offered by Rev. Austin H. Reed of Goffstown.

O God, Who hast given to us the love of freedom, Who in the olden days didst lead Thy people out of bondage into liberty; in these days when that cherished freedom is threatened in all corners of the earth, we beseech Thy guiding hand and the light of Thy wisdom. We pray Thee to lead, by Thy Holy Spirit, those we have chosen to govern, both in the state and the nation. Give to the members of the United Nations a right judgment in all things, and the will to seek the greater good of all mankind, that Thy kingdom may be advanced in the earth; through Jesus Christ our Lord. Amen.

Leave of Absence

Mr. Davis of Portsmouth was granted leave of absence for the day on account of illness.

Qualified

Messrs. Nolan of Manchester, Spaulding of Nashua, French of Bedford, Blodgett of Concord, Ward 4, and Dame of Portsmouth, having appeared before the acting Governor, Honorable Blaylock Atherton, appeared during the session and took their seats as members.

Special Committee Report

Mrs. Richards of Exeter submitted the following report:

The Committee appointed by the Speaker to select a Chaplain for the House met in Section 1 following the morning session with the Chairman, Mrs. Maude E. Richards, presiding. Eight members were in attendance. The Chairman appointed Elsie C. Bailey to act as Clerk.

It was unanimously voted that the Member from Goffstown, the Rev. Austin H. Reed, be named Chaplain of the House, and that any member of the House may arrange with Rev. Mr. Reed to invite other members of the clergy to be guest chaplain throughout the session.

MRS. MAUDE B. RICHARDS,
Chairman.

The report was accepted.

On a *viva voce* vote the recommendation of the committee was adopted.

On motion of Mr. Sanborn of Wakefield, Mr. Reed of Goffstown was given a rising vote of thanks for his generosity.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Evans of Lancaster, House Bill No. 21, An act relative to approval of bonds of trustees of trust funds. To the Committee on Executive Departments and Administration.

By Mr. Grass of Franconia, House Bill No. 22, An act relative to tax exemptions of institutions. To the Committee on Ways and Means.

By Mr. McDaniel of Nottingham, House Bill No. 23, An act relating to town expenditures between December thirty-first and the next annual meeting.

By Messrs. Bass of Peterboro, Ferguson of Pittsfield, Black of Bennington, House Bill No. 24, An act relating to public welfare and relief. To the Committee on Municipal and County Government.

By Mr. Proulx of Manchester, House Bill No. 25, An act

relative to making Good Friday a legal holiday. To the Committee on Executive Departments and Administration.

By Mr. Chandler of Warner, House Bill No. 26, An act legalizing the election of November, 1950, in the town of Warner. To the Committee on Municipal and County Government.

By Mr. Boutin of Belmont, House Bill No. 27, An act providing for the consolidation of the offices of town clerk and tax collector. To the Committee on Municipal and County Government.

By Mr. Proulx of Manchester, House Bill No. 28, An act relating to age of persons subject to poll taxes and exemption of *bona fide* clergymen. To the Committee on Ways and Means.

By Mr. Grass of Franconia, House Bill No. 29, An act relating to the liability for payment of poll taxes. To the Committee on Ways and Means.

By Messrs. Bass of Peterboro, Black of Bennington, Ferguson of Pittsfield, House Bill No. 30, An act relative to annual reports of certain county officers. To the Committee on Municipal and County Government.

By Mr. Wilman of Northfield, House Bill No. 31, An act legalizing action taken at a special town meeting in the town of Northfield relative to adoption of ballot system for the election of town officers. To the Committee on Municipal and County Government.

By Mr. Evans of Lancaster, House Joint Resolution No. 1, Joint Resolution relative to administration of interest and dividends tax. To the Committee on Appropriations.

Resolutions

Mr. Crandall of Dover offered the following resolution:

Resolved, That the salary of the members of the House of Representatives be so divided that any member may receive one-fourth of his salary monthly for the first three months, the balance to be paid at the adjournment of the session,

Further Resolved, That mileage of members of the House be paid every two weeks during the session.

On a *viva voce* vote the resolution was adopted.

Mr. Brosnahan of Nashua offered the following resolution:

Whereas, George D. Spalding of Ward 4, Nashua, our representative, is confined to the hospital by serious illness, therefore be it

Resolved, That we, the members of the House of Representatives, extend our greetings to our fellow member with our best wishes for his speedy recovery and return to our midst, and be it further

Resolved, That the Clerk be instructed to transmit a copy of these resolutions to Representative Spalding.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford, business in order at 3:00 o'clock was made in order at the present time.

On motion of Mrs. Winters of Rochester at 11:35 o'clock the House adjourned.

THURSDAY, JANUARY 11, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God, our leader and defender, in these days when we hear of wars and the rumors of wars, help us, we beseech Thee, in the spiritual and moral conflicts that beset us, to equip ourselves with the defensive and offensive weapons Thou hast prescribed in Thy word—the girdle of truth, the breastplate of righteousness, the sandals of the gospel of peace, the shield of faith, the helmet of salvation and the sword of the Spirit, "Which is the Word of God." Help us in these chaotic times to more heavily rely on these moral and spiritual weapons; through Jesus Christ. Amen.

Leaves of Absence

Mrs. Studley of Rochester was granted leave of absence for the day on account of illness.

Mr. Underhill of Nashua was granted leave of absence for the day on account of illness in family.

Mr. Burrill of Monroe was granted leave of absence for the day on account of illness.

Introduction

Mr. B. E. Crihfield, Eastern Representative of the Council of State Governments, was introduced to the House.

Attaches Appointed

The Clerk, with the approval of the Speaker, announced the following appointments:

Speaker's Stenographer: Helene H. Wester.

Stenographer for Judiciary Committee: Helen Y. Andrews.

Stenographer for Appropriations Committee: Eleanor C. Brown.

House Stenographers: Alice V. Flanders, Margaret L. Ford, Marion C. Colby.

Mileage Clerk: Alice Boutwell.

Messenger for Judiciary Committee: Palmer Read.

Messenger for Appropriations Committee: Eugene Williams.

Tellers Appointment

The Speaker announced the following appointment of tellers:

Division 1. Foote of Portsmouth
Division 2. Kearns of Manchester
Division 3. Wadleigh of Milford
Division 4. Holden of Hanover
Division 5. Hart of Wolfeboro

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Messrs. Bass of Peterborough, Black of Bennington and Ferguson of Pittsfield, House Bill No. 32, An act relating to authority and duties of police employees. To the Joint Committees on Municipal and County Government and Executive Departments and Administration.

By Mr. Chamberlin of Bath, House Bill No. 33, An act relating to income taxes. To the Committee on Executive Departments and Administration.

By Mr. Foote of Portsmouth, House Bill No. 34, An act relative to licenses of itinerant vendors. To the Committee on Judiciary.

By Mr. Black of Bennington, House Bill No. 35, An act relative to property exemption for veterans. To the Committee on Ways and Means.

By Mr. Pickett of Keene, House Joint Resolution No. 2, Joint resolution relating to the transfer of funds of the Department of Public Welfare. To the Joint Committees on Appropriations and Public Welfare and State Institutions.

By Mr. Tilton of Concord, House Joint Resolution No. 3, Joint resolution relative to application of proceeds from sale of certain property at the state prison. To the Committee on Appropriations.

Resolutions

Mr. Ferguson of Pittsfield offered the following resolution:

Resolved, That a committee of three be appointed by the Speaker to assist the Clerk in procuring, as soon as possible, two thousand (2,000) paper bound copies of the Legislative manual in substantially the same form as that of 1949.

The question being on the resolution.

(Discussion ensued)

Mr. Ferguson of Pittsfield spoke in favor of the resolution.

Mr. Henderson of Durham offered the following amendment:

Strike out the words two thousand and insert the words, 500 cloth bound and 1500 paper bound, so said resolution as amended shall read as follows:

Resolved, That a committee of three be appointed by the Speaker to assist the Clerk in providing as soon as possible 1500 paper bound copies and 500 cloth bound copies of the Legislative manual in substantially the same form as that of 1949.

The question being on the amendment.

(Discussion ensued)

Messrs. Pickett of Keene, Sanborn of Wakefield, Hepworth of Derry, and Brown of Laconia and Mrs. Dondero of Portsmouth spoke in favor of the amendment.

Mr. Charland of Dover spoke against the amendment.

Mrs. Dondero of Portsmouth moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment offered by Mr. Henderson of Durham.

On a *viva voce* vote the amendment was adopted.

The question being on the resolution as amended.

On a *viva voce* vote the resolution was adopted.

The Speaker appointed as members on such committee Messrs. Ferguson of Pittsfield, Powell of Sutton, and Moulton of Ossipee.

Mr. Peever of Salem offered the following resolution:

Resolved, That the Speaker be authorized to appoint a committee of three to screen all literature and other publications which private organizations and others desire to have distributed to the members in their seats.

On a *viva voce* vote the resolution was adopted.

The Speaker appointed as members on such committee Messrs. Peever of Salem, Hurd of Concord, and Moffett of Berlin.

Mr. Scamman of Stratham offered the following resolution:

Resolved, That the use of Representatives' Hall be by permission of the Committee on Rules.

On a *viva voce* vote the resolution was adopted.

Mr. Hart of Wolfeboro offered the following resolution:

Resolved, That the following policy be established for the distribution of House Journals, bills and joint resolutions to legislative agents, corporations and other persons, except the members of the General Court and State Departments:

1. Every citizen is entitled to one copy of any publication free of charge at the legislative counter or to have the same mailed to him free of charge upon individual request for such one copy.

2. Persons requesting copies of all publications delivered complete for the entire session will be charged a fee sufficient to cover postage, envelopes and handling. Such fees

may be prorated where service is received for portions of the session only. All fees will be payable in advance.

3. All fees charged hereunder shall be fixed by the Sergeant-at-Arms with the approval of the Speaker and shall be collected by the Sergeant-at-Arms and paid in to the State Treasury and credited to the legislative appropriation. Any House attache who works overtime to furnish any of the services hereunder shall be allowed such additional sum for his overtime services as the Appropriations Committee shall deem fair and reasonable.

On a *viva voce* vote the resolution was adopted.

Message from the Senate

A message from the Senate, by its Clerk, announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 5, An act providing a temporary open season for taking pickerel.

Senate Bills Read and Referred

Senate Bill No. 5, An act providing a temporary open season for taking pickerel.

Read a first and second time and referred to the Committee on Fisheries and Game.

On motion of Mr. Washburn of Bartlett the rules were suspended and reference to a committee on Senate Bill No. 5 was dispensed with.

On motion of Mr. Washburn of Bartlett the rules were further suspended and the third reading of Senate Bill No. 5, by its title, was made in order at the present time.

The bill was read a third time and passed and sent to the Secretary of State to be engrossed.

Reconsideration

Mr. Pickett of Keene moved that the House reconsider the vote whereby it passed Senate Bill No. 5.

On a *viva voce* vote the motion to reconsider did not prevail.

Concurrent Resolution

Mr. Chandler of Warner offered the following concurrent resolution:

Memoralizing the congress of the United States to proceed to the removal of Dean Acheson as Secretary of State.

Whereas, we as representatives of the people of New Hampshire are alarmed at the present foreign policy of the national administration, and

Whereas, we believe that Dean Acheson as Secretary of State has failed in his duties as such secretary, and has played into the hands of the enemy, and is largely responsible for the spilling of so much American blood in Korea, now therefore be it

Resolved by the House of Representatives, the Senate concurring, That we hereby memoralize and petition the congress of the United States to take immediate steps to remove said Dean Acheson as Secretary of State.

The concurrent resolution was referred to the Committee on Judiciary.

Resolutions

Mrs. Dondero of Portsmouth offered the following resolution:

Whereas, we have learned of the death of Mrs. Cora Woods, a sister of Harry H. Foote, Representative from Ward 2, Portsmouth, therefore be it

Resolved, That we, the members of the House of Representatives, hereby extend our heartfelt sympathy to the family in its bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to the family and to Representative Foote.

On a *viva voce* vote the resolution was adopted.

Mrs. Dondero of Portsmouth offered the following resolution:

Whereas, we have learned of the death of Mrs. Mabel Lee Nickerson, mother of Charles T. Durell, Representative from Ward 2, Portsmouth, therefore be it

Resolved, That we, the members of the House of Representatives, hereby extend our heartfelt sympathy to our fellow representative in his bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Representative Durell.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford, business in order at 3:00 o'clock was made in order at the present time, and that when the House adjourns today it adjourns to meet Tuesday morning at 11:00 o'clock.

On motion of Mr. Hart of Wolfeboro at 12:00 o'clock the House adjourned.

TUESDAY, JANUARY 16, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

Almighty God, the giver of all good and the strength of the weak, as we begin the duties of another week in this General Court, we implore Thy blessing upon our activities, and especially ask Thee to fit us to rightly and justly meet our tasks. Give us pride in our political affiliation without intolerance; wisdom and understanding without arrogance; ability to perform our task without conceit, and the willingness to give ourselves with unselfish devotion to the duties before us; through Jesus Christ our Lord. Amen.

Leaves of Absence

Messrs. Nelson of Milford, Geisel of Manchester and Rathbun of Harrisville were granted leave of absence for the day on account of important business.

Messrs. Ewing of Laconia, Spaulding of Nashua and Chamberlin of Bath were granted leave of absence until further notice on account of illness.

Mr. Stackpole of Dover was granted leave of absence for the day on account of attending a funeral.

Mr. Huckins of Plymouth was granted leave of absence for the day on account of illness.

Mr. Parker of Farmington was granted leave of absence for the week on account of illness.

Qualified

C. Murray Sawyer of Concord, having appeared before His Excellency, the Governor, appeared during the session and took his seat as a member.

Engrossed Bills Report

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bill:

Senate Bill No. 5, An act providing a temporary open season for taking pickerel.

The report was accepted.

Petitions Read and Referred

Petition from citizens of Orford and Lyme in interest of changes in the deer law.

Presented and referred to the Committee on Fisheries and Game.

Petition from citizens of Hooksett asking for a speed limit in the town of Hooksett.

Presented and referred to the Committee on Transportation.

Report of Commission To Study Hospital Care and Rates

CYRIL J. FRETWELL, *Clerk*
House of Representatives
Concord, N. H.

DEAR SIR:

We are enclosing herewith the Report to the Legislature by the Commission to Study Hospital Care and Rates, duly appointed by the Governor and Council under the provisions of Chapter 348, Laws of 1949.

Very truly yours,

ENOCH D. FULLER,
Secretary of State.

ENOCH D. FULLER
Secretary of State
State House
Concord, New Hampshire

DEAR MR. FULLER:

I enclose herewith Report to the Legislature by the Commission to Study Hospital Care and Rates duly appointed by the Governor and Council under the provisions of Laws of 1949, chapter 348. The legislation provided "The committee shall report its findings and recommendations in writing to this legislature . . ." Will you kindly see that this Report is brought to the attention of the Legislature.

I am also today sending a copy of the Report to Governor Adams.

Very truly yours,

H. THORNTON LORIMER,
Chairman.

NOTE: Report will be printed in its entirety and distributed to the General Court.

Committee Changes

The Speaker announced the following committee changes:

Mrs. Fontaine of Berlin from the Committee on Labor to the Committee on Insurance.

Mr. Roy of Berlin from the Committee on Insurance to the Committee on Labor.

Mrs. Weeks of Gilford from the Committee on Banks to the Committee on Transportation.

Mr. Perkins of Concord, chairman of the Judiciary Committee.

Mr. Wells of Newton, vice-chairman of the Judiciary Committee.

Mr. Turner of Keene, to serve on the Judiciary Committee.

Introduction of Bills and Joint Resolution

The following bills and joint resolution were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Mr. Rathbun of Harrisville, House Bill No. 36, An act relative to the charter of the Trustees of the Protestant

Episcopal Church in New Hampshire. To the Committee on Judiciary.

By Mr. Grass of Franconia, House Bill No. 37, An act relating to taxation of county farms. To the Committee on Ways and Means.

By Mr. Geisel of Manchester, House Bill No. 38, An act relating to the homestead right. To the Committee on Judiciary.

By Mr. Leach of Rochester, House Bill No. 39, An act relative to the New Hampshire Turnpike. To the Committee on Public Works.

By Mr. Rathbone of Exeter, House Bill No. 40, An act relating to the registration of pleasure-car type motor vehicles. To the Committee on Transportation.

By Mrs. Brunget of Berlin, House Bill No. 41, An act increasing the bounty of bobcats. To the Committee on Fisheries and Game.

By Mr. McDaniel of Nottingham, House Bill No. 42, An act changing the name of Pawtuckway pond. To the Committee on Resources, Recreation and Development.

By Mr. Pickett of Keene, House Bill No. 43, An act relating to the collection of taxes against non-residents. To the Committee on Judiciary.

By Rules Committee, House Bill No. 44, An act to legalize a special meeting of the Union School District in Keene. To the Committee on Education.

By Mr. Kazakis of Manchester, House Joint Resolution No. 4, Joint resolution memorializing congress relative to the St. Lawrence water ways. To the Committee on Resources, Recreation and Development.

Printing and Reference Dispensed With

Mr. Pickett of Keene moved that the rules of the House be suspended, and printing of House Bill No. 44 and its reference to a committee be dispensed with.

The question being on the motion.

(Discussion ensued)

Mr. Pickett of Keene spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mr. Pickett of Keene moved that the rules of the House be further suspended, and that House Bill No. 44 be put upon its third reading and final passage, by title, at the present time.

On a *viva voce* vote the motion prevailed.

The bill was read a third time and passed, and sent to the Senate for concurrence.

Printing Dispensed With

Mr. Sanborn of Wakefield moved that printing of House Bill No. 42 be dispensed with.

The question being on the motion.

(Discussion ensued)

Mr. Sanborn of Wakefield spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Resolutions

Mr. Sullivan of Manchester offered the following resolution.

Whereas, we have learned with sorrow of the death of Rev. Father Hubert Sheehan, of St. Anselm's College of Goffstown, N. H., brother of John Sheehan, United States District Attorney for the State of New Hampshire and former State Senator, and brother of Daniel and Timothy Sheehan, both prominent in civic and business affairs of the City of Manchester and State of New Hampshire, therefore be it

Resolved, That we, the members of the House of Representatives of the New Hampshire Legislature, extend our sympathy to the family in their bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to the family.

On a *viva voce* vote the resolution was adopted.

Mr. Martel of Manchester offered the following resolution:

Whereas, we have learned with sorrow of the death of Mrs. Kathryn Ash Carlson, wife of Harry Carlson, former Assistant to United States Secretary of Commerce, therefore be it

Resolved, That we, the members of the House of Representatives of the New Hampshire Legislature, extend our

sympathy to the family of the deceased in their bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to the family.

On *a viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford, business in order at 3 o'clock was made in order at the present time.

On motion of Mr. Smart of Portsmouth at 11:20 o'clock the House adjourned.

WEDNESDAY, JANUARY 17, 1951

The House met according to adjournment.

Prayer was offered by Rev. E. F. Weston, Pastor of the First Baptist Church of Derry.

Almighty God, Our Heavenly Father, Thou who art the strength of all who put their trust in Thee, revive and strengthen in us the desire to make Thee known among men. May Thy Holy Spirit imbue us with wisdom, goodness, and truth, and guide us in our endeavors that the safety, honor and welfare of the people of our state and nation may be advanced. Help all of us, O God, to do justly, to love mercy, and to walk humbly with Thee, through Jesus Christ, Our Lord and Saviour. Amen.

Leaves of Absence

Messrs. Hazelton of Chester and Stackpole of Dover were granted leaves of absence for the day on account of important business.

Introduction of Bills and Joint Resolution

The following bills and joint resolution were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Hurd of Concord, House Bill No. 45, An act to dissolve the Sullivan County Railroad and Springfield Electric Railway Committee. To the Committee on Judiciary.

By Rules Committee, House Bill No. 46, An act relating to the operation, registration and licensing of motor vehicles. To the Committee on Transportation.

By Rules Committee, House Bill No. 47, An act relative to registration and operation of motor vehicles by persons entering the military service of the United States for national defense and powers of the commissioner of motor vehicles. To the Committee on Transportation.

By Rules Committee, House Bill No. 48, An act relative to registration of motor vehicles of amputees. To the Committee on Transportation.

By Rules Committee, House Bill No. 49, An act relating to the appropriation for timber tax reimbursement fund. To the Committee on Appropriation.

By Mr. Holden of Hanover, House Bill No. 50, An act relative to audit and post audit of state accounts. To the Committee on Executive Departments and Administration.

By Mr. Ecker of Manchester, House Bill No. 51, An act relative to age of minors committed to the industrial school. To the Committee on Judiciary.

By Mr. Merrill of Hampton, House Bill No. 52, An act to corporate Avon University. To the Committee on Judiciary.

By Mr. Eldredge of Exeter, House Bill No. 53, An act relative to purity of foods and drugs procedures by state department of health in connection therewith. To the Committee on Public Health.

By Mr. Codding of Keene, House Bill No. 54, An act relating to scholarships for orphans of the World Wars. To the Committee on Education.

By Mr. Turner of Keene, House Bill No. 55, An act granting school districts temporary emergency exemption from certain provisions of the municipal bonds statute. To the Committee on Education.

By Mr. Brown of Strafford, House Bill No. 56, An act for county co-operative extension work in agriculture and home economics. To the Committee on Agriculture.

By Mrs. Brungot of Berlin, House Bill No. 57, An act relative to affidavits by absentee voters. To the Committee on Judiciary.

By Mrs. Landers of Keene, House Joint Resolution No. 5, Joint resolution in favor of Joseph DuMond. To the Committee on Appropriation.

Printing Dispensed With

Mr. Sanborn of Wakefield moved that the rules be suspended, and the printing of House Joint Resolution No. 5 be dispensed with.

On a *viva voce* vote the motion prevailed.

Mr. Sanborn of Wakefield moved that the rules be suspended, and the printing of House Bill No. 45 be dispensed with.

On a *viva voce* vote the motion prevailed.

Report of Standing Committees

Mr. McMeekin of Haverhill, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 16, An act relative to the charter of Mount Prospect Lodge No. 69, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Jones of Lebanon, for the Committee on Judiciary, to whom was referred House Bill No. 8, An act relating to the manner of folding and depositing ballots, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee.

Mrs. Wastcoat of Candia moved that the words "ought to pass" be substituted for the resolution of the committee inexpedient to legislate.

The question being on the motion to substitute.

(Discussion ensued)

Mrs. Wastcoat of Candia and Mr. Charland of Franklin spoke in favor of the motion.

Messrs. Perkins of Concord, McMeekin of Haverhill, Hill of Conway, and Mrs. Brungot of Berlin, spoke against the motion.

Mr. Barry of Wilton moved the previous question.

The question being, shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute the words "ought to pass" for the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the motion to substitute did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Reconsideration

Mr. Spaulding of Hudson moved that the House reconsider the vote whereby it voted as inexpedient to legislate, House Bill No. 8.

On a *viva voce* vote the motion to reconsider did not prevail.

Mr. Eldredge of Exeter, for the Committee on Public Health, to whom was referred House Bill No. 7, An act relating to mortuary regulations for veterans, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Wedick of Manchester, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 4, An act naming the summit of Wolf Hill in Deering, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The question being, Shall the bill be read a third time?

(Discussion ensued)

Mr. Black of Bennington spoke in favor of the motion.

On a *viva voce* vote the bill was ordered to a third reading.

On motion of Mr. Henderson of Durham the speech of Mr. Black of Bennington was ordered printed in the Journal.

Speech of Mr. Black

In February of 1943 the United States Army Transport Dorchester was on the way to the European theatre of operations with a contingent of army troops. Among these troops were four Chaplains, George L. Fox, a Protestant, John T. Washington, a Catholic priest, Alexander D. Goode, a Jewish Rabbi and Clark Vandersaal Poling, a Protestant. Four men of God of three separate faiths serving in the uniform of their country in a time of an emergency.

The Dorchester was torpedoed and sunk and when the abandon ship went through and the troops assembled to take to life rafts and life boats it was found that there were not enough life preservers to go around. Some men had no life preservers and these four Chaplains took off their life preservers and gave them to young GI's, boys who might have been your sons or mine. They did not ask to what faith they belonged or if they belonged to any. This without question is an example of pure unselfishness. They gave their life preservers to other men and when last seen these four Chaplains were standing with their arms around each other praying to his own God and all in one faith.

These men met their death as gentlemen unafraid and be they soldiers of God or soldiers of government they should be honored. Clark Vandersall Poling was one of these four Chaplains and these four Chaplains have been honored in many ways. The government awarding each of them the Distinguished Service Medal, posthumously. The government issued a commemorative postage stamp. There has been a chapel dedicated in the city of Philadelphia, a chapel of all faiths, dedicated to these four Chaplains and recently there was dedicated on Riverside Drive in New York City another memorial to the four Chaplains. The Warner Brothers moving picture company are now engaged in filming a story of these four Chaplains and the central theme of this story will be the life of Clark Vandersall Poling.

Clark Poling was an adopted son of New Hampshire. His father purchased a home in New Hampshire many years ago

and when Clark Poling was a young man he spent much of his time in New Hampshire, and he referred to New Hampshire as his home. Included in the property that Dr. Poling purchased and which is now his home is located Wolf Hill. When Clark Poling was a young man he was torn between two things that he should follow, the profession of his father and his grandfather and go into the ministry or should he follow his own inclinations and go into the study and practice of law. He had almost made up his mind to engage in the practice of law as a profession. He had even gone so far as to effect his enrollment at Yale University Law School but in the summer before he was to enter the University he was in residence at the Poling home in Deering and he was still torn in his mind as to what to do.

One day he packed a haversack with food and took his bible and a book on the principles of law and went to the summit of Wolf Hill. He was there all that day, through the night and along into the next afternoon. His father became worried and himself went to the summit of Wolf Hill to see what had happened. He found Clark on the summit of Wolf Hill and Clark told his father that he had made up his mind and that when he was on the summit of this hill looking out over the peaceful New England countryside that he realized that there was a God and that he would serve that God and would enter the ministry. That decision possibly cost Clark Poling his life but it was a decision made by a man following the dictates of his own conscience.

We, in New Hampshire, could build a memorial of stone and bronze. We could place it on the summit of Wolf Hill or we could place it on the State House yard but there is no memorial that we could erect that would have the particular significance as would have the naming of the summit of Wolf Hill, Clark's Summit, because this one little spot on the earth's surface is intimately associated with the life of this fine man.

By naming this summit Clark's Summit in honor of this exemplary man we not only honor him but we confer an honor upon all of the people of New Hampshire who participated in this act through us, their representatives.

Mr. Wedick of Manchester, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 6, An act relative to leasing of privileges and

concessions on state forests and reservations, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Resolutions

Mr. Sanborn of Wakefield offered the following resolution:

Resolved, That the Clerk of the House be instructed to procure 1100 copies of the report of the Special Interim Committee to Study Hospital Care and Treatment created under the provisions of chapter 348 of the Laws of 1949, providing that "the Committee shall report its findings and recommendations in writing to the Legislature."

The Clerk is also hereby instructed to mail one copy of the printed report to each of the following: To each Board of County Commissioners, to each Board of Selectmen of towns, the Mayor of each city, and to each Board of Trustees of each hospital within the state.

The question being on the resolution.

(Discussion ensued)

Mr. Sanborn of Wakefield spoke in favor of the resolution.

On a *viva voce* vote the resolution was adopted.

Mrs. Goodwin of Hollis offered the following resolution:

Whereas, Edwin P. Chamberlin of Bath, our representative, is confined to the hospital by illness, therefore be it

Resolved, That we, the members of the House of Representatives, extend our greetings to our fellow member with our best wishes for his speedy recovery and return to our midst, and be it further

Resolved, That the Clerk be instructed to transmit a copy of these resolutions to Representative Chamberlin.

On a *viva voce* vote the resolution was adopted.

Mr. Willey of Campton offered the following resolution:

Whereas, we have learned of the illness of the veteran member, Arthur L. Hamilton, Representative from Lisbon, therefore be it

Resolved, That we, the members of the House of Representatives, extend our greetings to our fellow member with our

best wishes for his speedy recovery and return to our midst, and be it further

Resolved, That the Clerk be instructed to transmit a copy of these resolutions to Representative Hamilton.

On a *viva voce* vote the resolution was adopted.

Concurrent Resolution

Mr. Remick of Tamworth offered the following concurrent resolution:

Concurrent Resolution Memorializing the New Hampshire Delegation in Congress

Whereas: The United States through its United Nations membership is engaged in an actual if undeclared war with Communist China;

Whereas: We have suffered grievous losses in manpower, with the prospect of further and greater losses;

Whereas: It appears to be vital to prevent the increase of Communist domination in Asia;

Whereas: There is a large, well-trained and equipped army of Chinese Nationalists on the Island of Formosa;

Whereas: This army is ready, desirous and capable of opening a second front on the Chinese mainland which might service as a diversionary tactic to relieve the pressure in Korea, therefore be it

Resolved by the House of Representatives, the Senate concurring:

That we hereby memorialize and petition our New Hampshire delegation in Congress to make every possible effort to prevail upon State Department policy, in so far as it may be within their province and power, to the end that the fighting forces of Nationalist China may be released for use in this emergency, and that a copy of this resolution be sent forthwith, by the Secretary of State, to each member of the New Hampshire delegation in Congress.

The concurrent resolution was referred to the Committee on Judiciary.

On motion of Mr. Wadleigh of Milford, business in order at 3 o'clock was made in order at the present time, and the third reading of bills be read by their title only.

Third Readings

House Bill No. 4, An act naming the summit of Wolf Hill in Deering.

House Bill No. 6, An act relative to leasing of privileges and concessions on state forests and reservations.

House Bill No. 16, An act relative to the Charter of Mount Prospect Lodge No. 69.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of Mrs. Holmes of Amherst at 12:10 o'clock the House adjourned.

THURSDAY, JANUARY 18, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God, the strength of all those who put their trust in Thee, in these troubled times, we beseech Thee to bless our soldiers and sailors, our airmen and nurses, and all enlisted in the service of our country, particularly those who have gone from this state. Give Thy Holy Spirit charge over them that He may protect them from all harm, deliver them in all temptation, and if it be Thy gracious will bring them safely home; through Jesus Christ our Lord. Amen.

Leaves of Absence

Mr. Putnam of Hampstead was granted leave of absence for the day on account of illness in family.

Messrs. Spaulding of Hudson and Sterling of Hillsborough were granted leaves of absence for the day on account of important business.

Introduction of Bills and Joint Resolutions

The following bills and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Mr. Henderson of Durham, House Bill No. 58, An act relative to records of salt water fish catch. To the Committee on Fisheries and Game.

By Mrs. Richards of Exeter, House Bill No. 59, An act relative to recording fees for town clerks. To the Committee on Municipal and County Government.

By Mr. Danforth of Manchester, House Bill No. 60, An act relative to exemptions under the income tax act. To the Committee on Ways and Means.

By Mr. Chandler of Warner, House Bill No. 61, An act repealing the tax on stock in trade and the tax on incomes. To the Committee on Ways and Means.

By Mr. Danforth of Manchester, House Bill No. 62, An act providing for the assessment and collection of a special poll tax for state purposes. To the Committee on Ways and Means.

By Mr. Abbott of Hudson, House Bill No. 63, An act to reclassify a road in the towns of Hudson, Litchfield and Londonderry. To the Committee on Public Works.

By Mr. Sawyer of Wilmot, House Bill No. 64, An act relative to supplies for discharged prisoners. To the Committee on Public Welfare and State Institutions.

By Mr. Sawyer of Concord, House Bill No. 65, An act relative to accidental death benefits under state employees retirement system. To the Committee on Executive Departments and Administration.

By Mr. Eldredge of Exeter, House Bill No. 66, An act relative to standards of identity for milk, butter and cream. To the Joint Committees on Agriculture and Public Health.

By Mr. Rathbun of Harrisville, House Bill No. 67, An act providing for the assessment of buildings separately from the land on which they stand. To the Committee on Judiciary.

By Mr. Hurd of Concord, House Bill No. 68, An act relating to the taxation of legacies and successions. To the Committee on Ways and Means.

By Mr. Davis of Hopkinton, House Bill No. 69, An act authorizing the Hopkinton School District in the Town of Hopkinton to borrow money and to issue serial notes or bonds. To the Committee on Education.

By Mr. Malley of Somersworth, House Bill No. 70, An act to produce a tax distribution fund. To the Committee on Ways and Means.

By Mr. Pickett of Keene, House Bill No. 71, An act pertaining to bastardy proceedings. To the Committee on Judiciary.

By Mr. Hurd of Concord, House Bill No. 72, An act providing for the operation of pipe lines for the transportation, distribution and sale of natural gas. To the Committee on Judiciary.

By Mr. Evans of Lancaster, House Bill No. 73, An act relating to duties of selectmen to make reports to tax commission and of school district clerk to report to selectmen. To the Committee on Municipal and County Government.

By Mr. Geisel of Manchester, House Bill No. 74, An act creating a state lottery. To the Committee on Ways and Means.

By Mr. Kelley of Littleton, House Bill No. 75, An act relative to registration of outboard motors. To the Committee on Executive Departments and Administration.

By Mr. Geisel of Manchester, House Bill No. 76, An act relating to interest charges by credit unions. To the Committee on Banks.

By Mrs. Morey of Hart's Location, House Bill No. 77, An act repealing endorsement of world federation and world government. To the Committee on Judiciary.

By Mr. Proulx of Manchester, House Bill No. 78, An act relating to the school committee of the city of Manchester. To the Manchester Delegation.

By Mr. Flanagan of Dover, House Bill No. 79, An act relative to the salaries of the commissioners of Strafford County. To the Strafford County Delegation.

By Mr. Kelley of Littleton, House Joint Resolution No. 6, Joint resolution in favor of David A. Proctor. To the Committee on Appropriations.

By Mr. Pickett of Keene, House Joint Resolution No. 7, Joint resolution in favor of Faulkner & Colony Manufacturing Company. To the Committee on Appropriations.

By Mrs. Atwood of Sanbornton, House Joint Resolution No. 8, Joint resolution in favor of Percy F. Benedict. To the Committee on Appropriations.

Engrossed Bill Report

Mrs. Landers of Keene, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bill:

House Bill No. 44, An act to legalize a special meeting of the Union School District in the city of Keene and the issue of bonds authorized thereat.

The report was accepted.

Committee Reports

Mr. Geisel of Manchester, for the Committee on Banks, to whom was referred House Bill No. 2, An act relating to the change of name of the Milford Building and Loan Association, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Geisel of Manchester, for the Committee on Banks, to whom was referred House Bill No. 18, An act to change the corporate name of the Hillsborough County Savings Bank, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. McMeekin of Haverhill, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 19, An act relative to military leave for state employees, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out in the fourth and fifth lines the words "or any official of the state who is receiving an annual salary"; and further amend by striking out in the eighth line the words "without pay in any one calendar year or one" and insert in place thereof the words, with pay in any one; further amend by inserting in the twelfth line after the word "employers" the words, and political subdivisions of the state, so that said section as amended shall read as follows:

1. *State Employees.* Amend section 20-a, chapter 27,

Revised Laws as inserted by chapter 109 of the Laws of 1947 by striking out said section and inserting the following in place thereof: 20-a. *Military Leave.* Any employee of the state of New Hampshire, who is a member of the military or naval forces of the state or nation in an active or reserve status, shall upon request be entitled to not more than fifteen calendar days' leave of absence with pay in any one twelve months' period for the purpose of military drill, training or other duty under military or naval authority. It is the sense of the general court that it is in the interest of the national security, and highly desirable that, whenever practicable, private employers and political subdivisions of the state shall grant military leave privileges similar to those provided for employees in this section to such of their employees as are members of any reserve component of the armed forces of the United States.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Holden of Hanover, for the Committee on Judiciary, to whom was referred House Bill No. 1, An act defining the application of certain statutes relative to liens for labor and materials, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Jones of Lebanon, for the Committee on Judiciary, to whom was referred House Bill No. 3, An act relating to the admission to the bar for veterans, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. McMeekin of Haverhill, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 14, An act imposing certain accounting duties upon the state treasurer, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Holden of Hanover moved that the words "ought to pass" be substituted for the resolution of the committee, inexpedient to legislate.

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Holden of Hanover, Pickett of Keene, Ferguson of Pittsfield, Rathbone of Exeter, Brown of Laconia, and Flanagan of Dover and Mrs. Brungot of Berlin, spoke in favor of the motion.

Messrs. McMeekin of Haverhill, Nelson of Milford, Ashley of Lebanon, Turner of Keene, and Sanborn of Wakefield and Mrs. Richards of Exeter, spoke against the motion to substitute.

Mr. Pillsbury of Manchester moved that the report of the committee with the motion to substitute, ought to pass for inexpedient to legislate, pending, be laid upon the table.

On a *viva voce* vote the motion to lay upon the table did not prevail.

The question being on the motion to substitute the words "ought to pass" for "inexpedient to legislate."

On a *viva voce* vote the Chair was in doubt.

Mr. Bass of Peterborough asked for a division.

A division being had, 153 members having voted in the affirmative and 160 members having voted in the negative, the motion to substitute did not prevail.

Mrs. Brungot of Berlin demanded the yeas and nays and the roll was called with the following result:

Yeas, 155

ROCKINGHAM COUNTY: Griffin of Auburn, Libby, Wastcoat, Rathbone of Exeter, Merrill, Ring, Sheehy, Sewall, Pinkham, Durell, Leary, Smart, Durkee.

STRAFFORD COUNTY: Swain, Stackpole, Marcotte of Dover, Carroll, Crandall, Locke of Dover, Flanagan, Caldwell, Horne, Dustin, St. Pierre, Lagueux, Letourneau, Coffin, Malley, Brown of Strafford.

BELKNAP COUNTY: Boutin, Osborne, Hart of Laconia, Simoneau, Tilton of Laconia, Ward 3, Tilton of Laconia, Ward 4, Brown of Laconia, Ransom.

CARROLL COUNTY: Lamprey.

MERRIMACK COUNTY: Baron of Allenstown, Moore, Dodge, Ferrin, Tebbetts, Tobey, Hurd, Corbett, O'Neil of Concord, Saltmarsh, Tilton of Concord, Brunel, Bunten, Sawyer of Concord, Hadley, Towle, Maxwell, Beale, DuDevoir, Milligan, Lea, Payeur, Ferguson.

HILLSBOROUGH COUNTY: Wilson, Black, Hambleton, Abbott, Corliss, Danforth, Geisel, Dwyer, Martel, Betley, Healy of Manchester, Ward 5, Proulx, Shea of Manchester, Clancy, Ecker, Gorham, Sullivan of Manchester, Cary, Gagnon, Auger, Getz, Roukey, Lareau, Soucy, Vaillancourt, Daniel, Gauthier, Wedick, Calconer, Ramsdell, Boire, Maynard of Nashua, Ward 3, Brosnahan, Cote, Marquis, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Chartrain, Dupont, Ryan, Pelletier of Nashua, Ward 8, Bouthillier, Pelletier of Nashua, Ward 9, French of Weare, Barry.

CHESHIRE COUNTY: Burnham, Kirk, Codding, Pickett, Walsh, Sherwin, Lang.

SULLIVAN COUNTY: Bascom, Frizzell, Converse, Bissonett, Baron of Claremont, Marcotte of Claremont, Perry of Newport, Vaughan, Gamsby, Callum.

GRAFTON COUNTY: Gingras, Harrington, Plumer, Clarke of Canaan, Avery, Lorden, Fuller, Holden of Hanover, Crafts, Gardner, Pushee, Burrill, Bell, Sawyer of Woodstock.

COOS COUNTY: Dussault, Shields, Desilets, Sheridan, Brungot, Morel, Fontaine, Laforce, Gould, Oakes, Fraser, Kimball, Simonds, Christopher, Ellingwood, Stinson.

Nays, 178

ROCKINGHAM COUNTY: Tuttle, Hazelton, Darbe, Lindahl, Clark of Derry, Gay, Hepworth, Freeman of East Kingston, Fecteau, Eldredge, Kendall, Richards, LeComte, Bonney, Thurlow, Eastman, McNeil, Hall of Londonderry, McCaffery, Wells, Carter of North Hampton, McDaniel, Colcord, Davis of Portsmouth, Dondero, Sukeforth, Foote, Yeaton, Dame, Ingraham

of Portsmouth, Bluitte, Philbrick, Haigh, Scamman, Waterhouse.

STRAFFORD COUNTY: Chase of Dover, Karkavelas, Felker, Fellows, Henderson of Durham, Rolfe, Maxfield, Winters, Studley, Fernald, Leach, Green of Rollinsford, Cater of Somersworth.

BELKNAP COUNTY: McAllister, Weeks, Keller, Thompson of Laconia, Smith of Meredith, Matthews, Atwood, Metcalf.

CARROLL COUNTY: Washburn, Benson, Downs, Hill, Morey, Nickerson, Moulton, Knox, Remick, Hodgdon, Sanborn, Hart of Wolfeboro, McHugh.

MERRIMACK COUNTY: Putney, Ellsworth, Vogel, Loiselle, Blodgett of Concord, Ward 4, Kennedy of Concord, Perkins of Concord, Freeman of Concord, Greene of Concord, Blodgett of Concord, Ward 8, Sargent, Chase of Franklin, Burke, Ayotte, Charland, Mason, Davis of Hopkinton, Smith of Loudon, Lamson, Wilman, Young, Powell, Chandler, Sawyer of Wilmot.

HILLSBOROUGH COUNTY: Holmes, French of Bedford, Farwell, Poore, Reed, Doonan, English, Crosby, Goodwin, Cummings of Lyndeborough, Pettigrew, Pillsbury, Fitzgerald, Kean, Healy of Manchester, Ward 6, Peaslee, Nelson, Wadleigh, Cooper, Underhill, Record, Cormier, Janelle, Locke of New Boston, Ashley of New Ipswich, Mailloux, Bass, Cummings of Peterborough, Hines.

CHESHIRE COUNTY: Dort, Jackson, Miller of Fitzwilliam, Rathbun of Harrisville, Walker, Perry of Jaffrey, Spofford, Collins of Keene, O'Neil of Keene, Landers, Wheelers, Bennett, Erwin, Turner, Hall of Marlborough, Kershaw, Worcester, Rhodes, Billings, Ingham of Winchester, Thompson of Winchester.

SULLIVAN COUNTY: Brooks, Millar of Claremont, Carter of Cornish, Bailey, Pierce.

GRAFTON COUNTY: Willey, Grass, Williams, Atkins, Chamberlin of Haverhill, McMeekin, Sleeper, Adams, Ashley of Lebanon, Cole, Jones, Randall, Griffin of Lincoln, Collins of

Lisbon, Kelley, Martin of Littleton, Howard, Huckins, Barney, Horner, Anderson, Woodward, Gilbert.

COOS COUNTY: Rines, Cummings of Colebrook, Emerson, Means, Hilliard, Placy, Taylor.

And the motion to substitute the words "ought to pass" for the report of the committee, inexpedient to legislate, did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Reconsideration

Mr. Bass of Peterborough moved that the House reconsider the vote whereby it adopted the resolution of the committee, inexpedient to legislate, on House Bill No. 14.

On a *viva voce* vote the motion to reconsider did not prevail.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives.

House Bill No. 44, An act to legalize a special meeting of the Union School District in Keene.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 1, An act naming Mowglis Mountain.

Senate Bill Read and Referred

Senate Bill No. 1, An act naming Mowglis Mountain.

Read a first and second time and referred to the Committee on Resources, Recreation and Development.

Resolutions

Mrs. Winters of Rochester offered the following resolution:

Resolved, That the House extends its sincere thanks to the Bureau of Government Research of the University of New

Hampshire for its valuable services in organizing and promoting the Legislative Institute for the benefit of new members of the House.

On a *viva voce* vote the resolution was adopted.

Mr. Bunten of Concord offered the following resolution:

Whereas, George M. Putnam of Hopkinton, a former member of the General Court and affectionately known to all of us as "Uncle George" is today celebrating his 87th birthday at the Margaret Pillsbury Hospital, and

Whereas, he has devoted a great portion of his life to the service of his farm people in particular, both in the state and in the nation, and

Whereas, he has contributed to an outstanding degree to the advancement of the State of New Hampshire, and

Whereas, his fine qualities of character and leadership are a great inspiration to his thousands of friends, be it

Resolved, That the General Court extend its respects and greetings on his birthday, this 18th day of January to this grand old man of New Hampshire Agriculture, and wishes for him a speedy recovery from his illness in order that he may soon be with us again. Be it further

Resolved, That when the House adjourns today it be in honor of "Uncle George," and be it further

Resolved, That the Clerk be instructed to transmit a copy of these resolutions to "Uncle George Putnam."

On a *viva voce* vote the resolution was adopted.

COUNTY ORGANIZATIONS

General Chairman of Counties, Hart of Wolfeboro; General Clerk of Counties, Horner of Thornton.

Rockingham County

McDaniel of Nottingham, Chairman; Dondero of Portsmouth, Vice-Chairman; Merrill of Hampton, Clerk; Executive Committee, Scamman of Stratham, Eastman of Kensington, Foote of Portsmouth, McCaffery of New Castle, Putnam of Hampstead, Griffin of Auburn, Rathbone of Exeter, Clark of North Hampton, Clark of Derry, and Chairman and Clerk, *ex officio.*

Strafford County

Swain of Barrington, Chairman; Austin of Rochester, Clerk; Executive Committee, Crandall of Rochester, Flanagan of Rochester, Parker of Farmington, Cater of Somersworth, Fernald of Rochester, and Chairman and Clerk, *ex officio*.

Belknap County

Keller of Laconia, Chairman; Atwood of Sanbornton, Clerk; Executive Committee, Tilton of Ward 4, Laconia, Tilton of Ward 3, Laconia, Simoneau of Laconia, Matthews of New Hampton, Ransom of Meredith, and Chairman and Clerk, *ex officio*.

Carroll County

Hart of Wolfeboro, Chairman; Hodgdon of Tuftonboro, Clerk; Executive Committee, Sanborn of Wakefield, Downs of Conway, Nickerson of Madison, and Chairman and Clerk, *ex officio*.

Merrimack County

Bunten of Concord, Chairman; Sawyer of Concord, Clerk; Executive Committee, Loiselle of Concord, Ferrin of Concord, Charland of Franklin, Smith of Loudon, Chandler of Warner, and Chairman and Clerk, *ex officio*.

Hillsborough County

Janelle of Nashua, Chairman; Hambleton of Goffstown, Clerk; Executive Committee, Barry of Wilton, Dionne of Nashua, Donnelly of Manchester, Thibodeau of Manchester, Cooper of Nashua, Cummings of Lyndeborough, Danforth of Manchester, and Chairman and Clerk, *ex officio*.

Cheshire County

Bennett of Keene, Chairman; Walsh of Keene, Clerk; Executive Committee, Walker of Hinsdale, Pickett of Keene, Kershaw of Swanzey, and Chairman and Clerk, *ex officio*.

Sullivan County

Converse of Claremont, Chairman; Bailey of Newport, Clerk; Executive Committee, Rowell of Newport, Chairman, Carter of Cornish, Callum of Unity, Bissonett of Claremont and Chairman and Clerk, *ex officio*.

Grafton County

Willey of Campton, Chairman; Atkins of Hanover, Vice-Chairman; Horner of Thornton, Clerk; Executive Committee, Grass of Franconia, Cole of Lebanon and Chairman and Clerk, *ex officio.*

Coos County

Roy of Berlin, Chairman; Brungot of Berlin, Clerk; Executive Committee, Moffett of Berlin, Cummings of Colebrook, Hinchey of Berlin, Kimball of Jefferson, Bouchard of Berlin, and Chairman and Clerk, *ex officio.*

On motion of Mr. Wadleigh of Milford business in order at 3 o'clock was made in order at the present time, and that the third reading of bills be read by their title only, and that when the House adjourns today it adjourn to meet Tuesday at 11:00 o'clock.

Third Readings

House Bill No. 1, An act defining the application of certain statutes relative to liens for labor and materials,

House Bill No. 2, An act relating to the change of name of the Milford Building and Loan Association.

House Bill No. 18, An act to change the corporate name of the Hillsborough County Savings Bank.

House Bill No. 19, An act relative to military leave for state employees.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of Mr. Hart of Wolfeboro at 1:20 o'clock the House adjourned.

TUESDAY, JANUARY 23, 1951

The House met according to adjournment.

Prayer was offered by Rev. Ernest R. Lockeman, Pastor of Windham Presbyterian Church.

Almighty God Who alone givest wisdom and understanding, inspire we pray Thee, the minds of all to whom Thou hast committed the responsibility of government and leadership in

our state, in our nation and in the world. Give to them the vision of truth and justice that by their counsels all people may work in true brotherhood. May they preserve as a sacred trust our heritage of freedom. May they fiercely defend justice among men.

As we gather in the quiet of this place we commit unto Thee the youth who have gone from our state into the armed services of our nation that Thou mayest strengthen them in the citadel of their souls.

In the name of our Lord Jesus Christ. Amen.

Leaves of Absence

Messrs. Collins of Keene, Fernald of Rochester and Barron of Allenstown were granted leave of absence for the day on account of illness.

Messrs. McDaniel of Nottingham and Eastman of Kensington were granted leave of absence for the day on account of important business.

Mr. Parker of Farmington was granted leave of absence for the week on account of illness.

Mr. Holden of Newington was granted leave of absence for the week on account of important business.

Mr. Hazelton of Chester was granted leave of absence for the week on account of illness.

Communication

The following letter was read by the Speaker:

HONORABLE LANE DWINELL
Speaker of the House
House of Representatives
Concord, New Hampshire

DEAR MR. SPEAKER:

Having been sworn in as High Sheriff of Grafton County and thus being automatically disqualified to serve as a Representative, I am writing to inform you that a new Representative from the town of Orford will be elected to fill my place.

Sincerely yours,

WILLIAM E. GREEN,
Sheriff—Grafton County

Reconsideration

Mr. Kane of Manchester served notice that on today or some subsequent day he would move to reconsider the vote whereby the House voted as inexpedient to legislate House Bill No. 3, An act relating to admission to the bar of veterans.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Mr. Hambleton of Goffstown, House Bill No. 80, An act relative to the charter of the Goffstown Fire Precinct. To the Committee on Executive Departments and Administration.

By Mr. Pillsbury of Manchester, House Bill No. 81, An act relative to the licensing of practical nurses. To the Committee on Public Health.

By Mr. Gagnon of Manchester, House Bill No. 82, An act relative to the hours of police duty in the city of Manchester. To the Delegation from the City of Manchester.

By Mrs. Atwood of Sanbornton, Mr. Thompson of Laconia, Ward 5, House Bill No. 83, An act relating to county appropriations. To the Committee on Judiciary.

By Mr. Gagnon of Manchester, House Bill No. 84, An act to elect highway commissioners in the city of Manchester. To the Delegation from the City of Manchester.

By Mr. Gauthier of Manchester, House Bill No. 85, An act relating to prohibited sales of alcoholic beverages. To the Committee on Liquor Laws.

By Mr. Gauthier of Manchester, House Bill No. 86, An act relating to the sale and manufacture of cider. To the Committee on Liquor Laws.

By Mr. Evans of Lancaster, House Bill No. 87, An act providing for the appointment of acting town officials in certain cases. To the Committee on Municipal and County Government.

By Mr. Janelle of Nashua, House Bill No. 88, An act relating to contracts by married women. To the Committee on Judiciary.

By Mr. Perkins of Concord, House Bill No. 89, An act relative to qualifications for old age assistance. To the Committee on Public Welfare and State Institutions.

By Mr. Dussault of Berlin, House Bill No. 90, An act to amend the unified personnel system for the state. To the Committee on Judiciary.

By Mr. Merrill of Hampton, House Bill No. 91, An act relative to bond issue for the Hampton School District. To the Committee on Education.

By Mr. Hilliard of Pittsburg, House Bill No. 92, An act relative to division of the state for taking wild deer. To the Committee on Fisheries and Game.

By Mr. Malley of Somersworth, House Bill No. 93, An act exempting charitable bequests from legacy and succession taxes. To the Committee on Ways and Means.

By Mr. Perkins of Concord, House Bill No. 94, An act relative to salaries and expenses of county solicitors. To the Committee on Municipal and County Government.

By Mr. Pinkham of Northwood, House Bill No. 95, An act relative to Harvey Lake Cemetery Association. To the Committee on Judiciary.

By Miss Horner of Thornton, House Bill No. 96, An act relative to a certain bridge in the town of Thornton. To the Committee on Public Works.

By Mr. Tilton of Laconia, Ward 3, House Bill No. 97, An act relating to trustees and directors of savings banks. To the Committee on Banks.

By Mr. Metcalf of Tilton, House Bill No. 98, An act prohibiting trespassing in certain cases. To the Committee on Judiciary.

By Mr. Janelle of Nashua, House Bill No. 99, An act removing the restriction as to certain officials for holding office as commissioners of a housing authority. To the Committee on Judiciary.

By Mr. Gould of Colebrook, House Bill No. 100, An act relative to school transportation. To the Committee on Education.

By Mr. English of Hancock, House Bill No. 101, An act relative to local option on sale of liquor and beverages in towns and cities. To the Committee on Liquor Laws.

By Mr. Angus of Claremont, Ward 1, House Bill No. 102, An act relative to removal of justice or special justice of a municipal court in certain cases. To the Committee on Judiciary.

By Mr. Pickett of Keene, House Bill No. 103, An act relating to the police force of the City of Keene. To the Delegation from the City of Keene.

By Mr. Benson of Conway, House Bill No. 104, An act relating to the payment to the State of the "breakage," so-called, at pari mutuel race meets. To the Committee on Ways and Means.

By Mr. Benson of Conway, House Bill No. 105, An act relating to pari mutuel pools at race meets. To the Committee on Ways and Means.

By Mr. Benson of Conway, House Bill No. 106, An act relating to the tax on pari mutuel pools at race meets. To the Committee on Ways and Means.

By Mr. Brown of Laconia, House Bill No. 107, An act relative to making appropriations for and on behalf of the New Hampshire Wing, Civil Air Patrol. To the Committee on Aviation.

By Mr. Turner of Keene, House Bill No. 108, An act to incorporate The Invalids Home. To the Committee on Judiciary.

By Mr. Kazakis of Manchester, House Bill No. 109, An act relative to unemployment compensation, eligibility conditions for members of the general court. To the Committee on Labor.

By Mr. Flanagan of Dover, House Bill No. 110, An act relative to the salary of the special justice of the municipal court of Dover. To the Delegation from the City of Dover.

By Mr. Rathbun of Harrisville, House Bill No. 111, An act relative to conservation and the control of lakes, ponds, rivers and streams for public use and benefits. To the Committee on Resources, Recreation and Development.

By Mr. Hurd of Concord, House Bill No. 112, An act to relative to penalties for operating motor vehicles whose size or weight exceed the legal limit. To the Committee on Transportation.

By Mr. Gingras of Ashland, House Bill No. 113, An act relative to salaries of state officers and employees. To the Committee on Appropriations.

By Mr. Kearns of Manchester, Ward 10, House Bill No. 114, An act relating to licenses to operate motor vehicles. To the Committee on Transportation.

By Mr. Fernald of Rochester, House Bill No. 115, An act establishing an official water gauge for Merrymeeting Lake. To the Committee on Resources, Recreation and Development.

By Mrs. Green of Concord, House Bill No. 116, An act relating to minimum wages for certain employees. To the Committee on Labor.

By Mrs. Green of Concord, House Bill No. 117, An act to regulate the practice of optometry. To the Committee on Public Health.

By Mr. McMeekin of Haverhill, House Bill No. 118, An act to provide for absentee voting for persons in the armed forces and civilians serving therewith. To the Committee on Judiciary.

By Mr. Smith of Loudon, House Bill No. 119, An act increasing bounty on porcupines. To the Committee on Fisheries and Game.

By Mr. Cole of Lebanon, House Bill No. 120, An act authorizing the Lebanon Center Village Fire Precinct to issue bonds in excess of the statutory debt limit for the construction and equipment of a new fire station in said precinct. To the Committee on Municipal and County Government.

By Mr. Ransome of Meredith, House Bill No. 121, An act providing special fishing and hunting licenses for non-resident property owners. To the Committee on Fisheries and Game.

By Mr. Evans of Lancaster, House Bill No. 122, An act relative to establishment of true meridian lines for use by land surveyors. To the Committee on Public Works.

By Mr. Kennedy of Manchester, Ward 1, House Bill No. 123, An act relative to purchase of state insurance and public state official and employee bonds. To the Committee on Executive Departments and Administration.

By Mr. Pillsbury of Manchester, House Bill No. 124, An act providing for a salary increase for state employees and officials. To the Committee on Appropriations.

By Mr. Crosby of Hillsborough, House Bill No. 125, An act prohibiting utilities from engaging in the sale of appliances. To the Committee on Judiciary.

By Mr. Crosby of Hillsborough, House Bill No. 126, An act relating to poultry houses and yards as nuisances in certain cases. To the Committee on Public Health.

By Mr. Crosby of Hillsborough, House Bill No. 127, An act relating to rights of surviving husband and wife. To the Committee on Judiciary.

By Mr. Metcalf of Tilton, House Bill No. 128, An act relating to supervisory unions. To the Committee on Education.

By Mrs. Brungot of Berlin, House Joint Resolution No. 9, Joint resolution providing for an interim committee to study ways and means of improving the employees' retirement system of the state of New Hampshire. To the Committee on Executive Departments and Administration.

By. Mr. Janelle of Nashua, House Joint Resolution No. 10, Joint resolution making appropriation for the Yankee Division convention to be held in the city of Portsmouth. To the Committee on Appropriations.

By Mrs. Winters of Rochester, House Joint Resolution No. 11, Joint resolution providing for the erection of a retaining wall along the Cocheco River in Rochester. To the Committee on Public Works.

By Mr. Pickett of Keene, House Joint Resolution No. 12, Joint resolution in favor of Samuel W. Tenofsky. To the Committee on Appropriations.

By Mr. Black of Bennington, House Joint Resolution No. 13, Joint resolution in favor of Fred D. Harrington. To the Committee on Appropriations.

By Mr. Young of Pittsfield, House Joint Resolution No. 14, Joint resolution relative to a memorial in honor of John Langdon. To the Committee on Military and Veterans' Affairs.

By Mr. Collins of Lisbon, House Joint Resolution No. 15, Joint resolution in favor of Horace L. Wetherbee. To the Committee on Appropriations.

Committee Reports

Mr. Jackson of Dublin, for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bill:

House Bill No. 4, An act naming the summit of Wolf Hill in Deering.

The report was accepted.

Mr. Davis of Portsmouth, for the Committee on Muncipal and County Government, to whom was referred House Bill

No. 9, An act legalizing the biennial election in the town of Winchester, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Gardner of Littleton, for the Committee on Municipal and County Government, to whom was referred House Bill No. 26, An act legalizing the election of November, 1950, in the town of Warner, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Walker of Hinsdale, for the Committee on Municipal and County Government, to whom was referred House Bill No. 31, An act legalizing action taken at a special town meeting in the town of Northfield relative to adoption of ballot system for the election of town officers, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 4, An act naming the summit of Wolf Hill in Deering.

Printing Dispensed With

Mr. Merrill of Hampton moved that the rules be suspended, and printing of House Bill No. 91 be dispensed with.

The question being on the motion.

(Discussion ensued)

Mr. Merrill of Hampton spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mr. Sanborn of Wakefield moved that the rules be suspended, and printing of House Bill No. 80 be dispensed with.

The question being on the motion.

(Discussion ensued)

Mr. Sanborn of Wakefield spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Resolutions

Mrs. Cooper of Nashua offered the following resolution:

Resolved, That for the remainder of the session roll calls will commence in the county from which the member requesting the same comes and will proceed in order through the remaining counties in the order in which they appear on the printed roll call and will then return to the county at the beginning of the printed roll call and proceed to the point at which the roll call commenced.

On a *viva voce* vote the resolution was adopted.

Mr. Pickett of Keene offered the following resolution:

Whereas, the House of Representatives has learned that today, January 23, Radio Station WKNE of Keene is observing its tenth anniversary of service to the City of Keene and the Monadnock Region, and

Whereas, the free public services rendered the general public are of such magnitude and many phases that it is of extreme comfort to the citizens of this area, it is hereby

Resolved, That the house extend to the management and staff of Radio Station WKNE our best wishes for continued success in the services of New Hampshire people, and be it further

Resolved, That a copy of these resolutions be sent to Radio Station WKNE.

On a *viva voce* vote the resolution was adopted.

Mr. Tobey of Concord offered the following resolution:

Resolution Regarding Communism

Whereas the democracies of the world are threatened by the powerful forces of Communism, and

Whereas in order for our form of Government to survive in this struggle with Communism, it is essential that the confidence of the people of the United States of America in our form of Government shall not be undermined by loss of confidence in the conduct of their representatives in the Congress of the United States, and

Whereas the people pay their elected representatives in the National House and Senate salaries sufficient to a decent livelihood in the confidence that by so doing their elected representatives in Washington will be free men and will thereby not yield to outside influences, and

Whereas, from time to time, it has been revealed that certain members of the House and Senate in Washington have secretly received large sums of money from certain private and semi-public sources, and

Whereas such secret conduct on the part of responsible elected officials has gone so far as to shake the confidence of the people in their elected representatives and in the democratic form of Government, and

Whereas it is in the interest of the preservation of our form of Government that such practices secretly indulged in by Representatives and Senators in the Congress of the United States should be discouraged and should be strongly censored,

Now Therefore Be It Resolved by the House of Representatives in General Court convened:

1. That it is the sense of the House of Representatives of the General Court of the State of New Hampshire that each member of the House and Senate of the Congress of the United States from New Hampshire should give assurance to the people of New Hampshire that he is so conducting himself in his official capacity as a representative of the people as to enable him faithfully, impartially and conscientiously to represent the people.

2. That each such member is hereby requested to file with the Secretary of State of the State of New Hampshire, for public recording, on the fifteenth day of January and the fifteenth day of July of each year, a report containing a full and complete statement over his signature and under oath of all fees, salaries, gifts, gratuities, loans or consideration of any kind or nature received from any individual, partnership,

corporation, association, society, pension trust or other source, with the full amount of same in each instance and a full statement of the identity of each source from which such fee, salary, gift, gratuity, loan or other consideration was received.

3. That a copy of this resolution, duly certified by the Secretary of State, shall be forwarded to each such member upon passage of this resolution.

The resolution was referred to the Committee on Judiciary.

Mr. Proulx of Manchester offered the following resolution:

Whereas, it has now become evident that certain sinister forces designing to destroy our form of government and put in its place a sort of Socialist or Communist form of dictatorship by misuse of the provisions of Article Six of the Constitution of the United States — relating to the making of treaties, and

Whereas, the decisions of the SUPREME COURT of the UNITED STATES and of certain State Courts have shown the imminent danger of said objective being accomplished without the consent of the people and without the Congress being aware of the import of certain provisions of the Charter of the UNITED NATIONS, the Genocide, Human Rights, Right to Organize, International Trade Organization Conventions and other covenants and conventions upon our form of Government, and

Whereas, said danger is imminent and immediate,

Be It Resolved by the LEGISLATURE of the State of New Hampshire:

That the Congress of the United States be and it is hereby petitioned and urged to immediately submit to the several states an amendment to the Constitution of the UNITED STATES and the following form of said amendment is hereby suggested, to wit:

1. The basic principles of this Constitution, namely, the establishment of a representative form of a Federal Government, consisting of the Congress, the Executive, and the Judiciary, and of the sovereignty of the several states of the character guaranteed by the Constitution; the express limitations of the Constitution on the Powers of Congress; the

guarantees of individual liberties contained in the Constitution and in the Bill of Rights, set forth in the first TEN AMENDMENTS, and the independence of the FEDERAL JUDICIARY, shall not be abolished nor altered by any treaty or executive agreement.

2. The power of the Senate to ratify treaties shall be exercised only by two-thirds of the entire membership of the Senate and not by two-thirds only of the members present.

3. The Supreme Court shall have and promptly exercise original jurisdiction to pass upon the validity of all treaties and executive agreements upon application by the President or of the Governor of any State made within six months of the date of the proclamation of any treaty or executive agreement.

Be It Further Resolved, That certified copies of the foregoing resolution be immediately forwarded by the Secretary of State of the State of NEW HAMPSHIRE under the Great Seal, to the President of the United States, the President of the Senate of the United States, and the Speaker of the House of Representatives of the United States.

The resolution was referred to the Committee on Judiciary.

Ruling of Speaker

The House Rules Committee announces the following ruling:

All bills or proposals for bills, the substance of which is in the hands of the bill drafting service of the Attorney General's office, by closing time today at 5:00 P. M., will be considered as received within the deadline for introduction of new bills, even though such bills may be read and referred on subsequent days. The decision of the Attorney General's office as to the time when a bill or proposal is received shall be final.

All bills in hands of Clerk by 5:00 P. M. today are also considered as in, whether read or not today.

On motion of Mr. Wadleigh of Milford business in order at 3:00 o'clock was made in order at the present time and the third reading of bills be by their titles only.

Third Readings

House Bill No. 9, An act legalizing the biennial election in the town of Winchester.

House Bill No. 26, An act legalizing the election of November, 1950 in the town of Warner.

House Bill No. 31, An act legalizing action taken at a special town meeting in the town of Northfield relative to adoption of ballot system for the election of town officers.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Millar of Claremont at 11:57 o'clock the House adjourned.

WEDNESDAY, JANUARY 24, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

Most gracious God, the source of all good, the giver of all the blessings we most enjoy; we give Thee hearty thanks for this good land in which our heritage is cast; for freedom to worship Thee, for the glory of a people set at liberty, and for the government in which we share. Make us ever mindful of the responsibilities laid upon us by Thy goodness and generosity. Help us to always remember that we are merely the custodians of Thy goodness, and keep us faithful to that great trust; through Jesus Christ, our example and leader. Amen.

Leaves of Absence

Mr. Loiselle of Concord was granted leave of absence for the day on account of important business.

Mr. Swain of Barrington was granted leave of absence for the day on account of illness.

Introduction of Bills and Joint Resolutions

The following bills and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Rules Committee, House Bill No. 129, An act relative to Bristol School District. To the Committee on Education.

By Rules Committee, House Bill No. 130, An act relative to Canaan School District. To the Committee on Education.

By Mr. Doonan of Greenville, House Bill No. 131, An act to amend fees paid by towns for services. To the Committee on Municipal and County Government.

By Mr. Sanborn of Wakefield, House Bill No. 132, An act to establish the rights and privileges of officers and employees of the state who enter into the armed forces of the United States. To the Committee on Executive Departments and Administration.

By Mr. Sullivan of Manchester, House Bill No. 133, An act relating to the surveyor of the city of Manchester. To the Delegation from the City of Manchester.

By Mr. Sullivan of Manchester, House Bill No. 134, An act providing for a standard work day for city employees in the city of Manchester. To the Delegation from the City of Manchester.

By Rules Committee, House Bill No. 135, An act relative to the support of the state guard. To the Committee on Appropriations.

By Rules Committee, House Bill No. 136, An act relative to support of permanently and totally disabled persons. To the Committee on Public Welfare and State Institutions.

By Rules Committee, House Bill No. 137, An act relative to Class I, Class II, Class IV, and Class V Highways. To the Joint Committee on Public Works and Ways and Means.

By Mr. Sanborn of Wakefield, House Bill No. 138, An act relating to the University of New Hampshire. To the Committee on Education.

By Mr. Scamman of Stratham, House Bill No. 139, An act relative to classification of highways. To the Committee on Public Works.

By Mr. Scamman of Stratham, House Bill No. 140, An act relative to marking highways for motor vehicle travel. To the Committee on Public Works.

By Mr. Scamman of Stratham, House Bill No. 141, An act relative to snow fences. To the Committee on Public Works.

By Mr. Young of Pittsfield, House Bill No. 142, An act to compel the Boston & Maine Railroad to restore the double

track on its line to Boston between Concord and the State line. To the Committee on Transportation.

By Mr. Crosby of Hillsborough, House Bill No. 143, An act relating to control of vicious dogs. To the Committee on Judiciary.

By Mr. Crosby of Hillsborough, House Bill No. 144, An act relating to carrying of concealed pistols and revolvers. To the Committee on Judiciary.

By Mr. Angus of Claremont, House Bill No. 145, An act relating to power and duties of towns. To the Committee on Judiciary.

By Mr. Lamson of New London, House Bill No. 146, An act relating to reinsurance. To the Committee on Insurance.

By Mr. Smith of Meredith, House Bill No. 147, An act relative to the closing of county offices on Saturdays. To the Committee on Municipal and County Government.

By Mr. Pillsbury of Manchester, House Bill No. 148, An act relating to foreign corporations doing business in the state. To the Committee on Judiciary.

By Mr. Pillsbury of Manchester, House Bill No. 149, An act relating to suits against stockholders of corporations. To the Committee on Judiciary.

By Mr. Hurd of Concord, House Bill No. 150, An act relating to students of dentistry practicing in the state hospital. To the Committee on Public Health.

By Mr. Brown of Strafford, House Bill No. 151, An act relating to representation of the department of agriculture on the council on resources and development. To the Committee on Agriculture.

By Mrs. Fontaine of Berlin, House Bill No. 152, An act to provide for the installation of head and rear lights on track motor cars operated by common carriers by railroads. To the Committee on Transportation.

By Mr. Pillsbury of Manchester, House Bill No. 153, An act relating to mortgaging of after-acquired property by a corporation. To the Committee on Judiciary.

By Mr. Hurd of Concord, House Bill No. 154, An act relating to the clerk's fee for issuing certificate of conformity to requirements of marriage intentions notice. To the Committee on Municipal and County Government.

By Mr. Cole of Lebanon, House Bill No. 155, An act relating to contracts to sell realty. To the Committee on Judiciary.

By Mr. Angus of Claremont, House Bill No. 156, An act relating to minimum wage. To the Committee on Labor.

By Mr. Janelle of Nashua, House Bill No. 157, An act to relieve members of the police force of the city of Nashua from police duty at certain times. To the delegation from the city of Nashua.

By Mr. Knox of Sandwich, House Bill No. 158, An act relating to bait dealers' licenses. To the Committee on Fish and Game.

By Mr. Scamman of Stratham, House Bill No. 159, An act relating to pheasants. To the Committee on Fish and Game.

By Mr. Benson of Conway, House Bill No. 160, An act relating to real estate brokers and salesmen. To the Committee on Judiciary.

By Mr. Ashley of Lebanon, House Bill No. 161, An act relating to powers of director and conservation officers. To the Committee on Fish and Game.

By Mr. Remick of Tamworth, House Bill No. 162, An act relating to exceptions to the requirements for hunting and fishing licenses. To the Committee on Fish and Game.

By Mr. Moore of Bradford, House Bill No. 163, An act relating to the transportation and tagging of deer. To the Committee on Fish and Game.

By Mr. Ashley of Lebanon, House Bill No. 164, An act relating to revocation of fish and game licenses. To the Committee on Fish and Game.

By Mr. Moore of Bradford, House Bill No. 165, An act relating to setting traps. To the Committee on Fish and Game.

By Mr. Hambleton of Goffstown, House Bill No. 166, An act relative to police chiefs. To the Committee on Judiciary.

By Mrs. Greene of Concord, House Bill No. 167, An act to provide for the discontinuance of the previous New Hampshire Teachers' Retirement System and for the preservation of the rights and privileges of the present membership thereof. To the Committee on Executive Departments and Administration.

By Mr. Black of Bennington, House Bill No. 168, An act to implement civil defense powers. To the Committee on Judiciary.

By Mrs. Fontaine of Berlin, House Bill No. 169, An act to provide for the installation of windshields and tops on track motor cars operated by common carriers by railroads. To the Committee on Transportation.

By Mr. Fernald of Rochester, House Bill No. 170, An act relating to federal aid for fish restoration projects. To the Committee on Fish and Game.

By Mr. Brown of Strafford, House Bill No. 171, An act relative to purchase and sale of poultry. To the Committee on Agriculture.

By Mr. Remick of Tamworth, House Bill No. 172, An act relating to possession of jacks, etc. To the Committee on Fish and Game.

By Mr. Pillsbury of Manchester, House Bill No. 173, An act relative to licenses of bonded warehouses. To the Committee on Executive Departments and Administration.

By Mr. Tilton of Concord, House Bill No. 174, An act prohibiting games of beano on Sunday and playing of game by minors. To the Committee on Judiciary.

By Mr. Osborne of Gilmanton, House Bill No. 175, An act authorizing the town of Gilmanton to issue refunding notes or bonds. To the Committee on Municipal and County Government.

By Mr. Chase of Dover, House Bill No. 176, An act relative to veterans preference. To the Committee on Execuive Departments and Administration.

By Mr. Gingras of Ashland, House Joint Resolution No. 16, Joint resolution providing a commission to study a reclassification of highways. To the Committee on Public Works.

By Mr. Eldredge of Exeter, House Joint Resolution No. 17, Joint resolution relating to the preservation of historic military flags. To the Committee on Military and Veterans' Affairs.

By Mr. Anderson of Warren, House Joint Resolution No. 18, Joint resolution in favor of Daniel H. McLinn. To the Committee on Appropriations.

By Mr. Walsh of Keene, House Joint Resolution No. 19, Joint resolution in favor of John White of Keene. To the Committee on Appropriations.

By Mr. Willey of Campton, House Joint Resolution No. 20, Joint resolution establishing a lobster fund. To the Committee on Fish and Game.

Printing and Reference Dispensed With

Mr. Plumer of Bristol moved that the rules of the House be suspended and the printing and reference to a committee of House Bill No. 129, An act relative to Bristol School District, be dispensed with.

The question being on the motion.

(Discussion ensued)

Mr. Plumer of Bristol spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mr. Plumer of Bristol moved that the rules of the House be further suspended and House Bill No. 129 be put upon its third reading and final passage, by title, at the present time.

The question being on the motion.

On a *viva voce* vote the motion prevailed.

The bill was read a third time and passed and sent to the Senate for concurrence.

Mr. Clarke of Canaan moved that rules of the House be suspended and the printing and reference to a committee on House Bill No. 130, An act relative to Canaan School District, be dispensed with.

The question being on the motion.

(Discussion ensued)

Mr. Clarke of Canaan spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mr. Clarke of Canaan moved that the rules of the House be further suspended and House Bill No. 130 be put upon its third reading and final passage, by title, at the present time.

The question being on the motion.

On a *viva voce* vote the motion prevailed.

The bill was read a third time and passed and sent to the Senate for concurrence.

Committee Report

Mr. Sanborn of Wakefield, for the Committee on Appropriations, to whom was referred House Bill No. 49, An act relating to the appropriation for timber tax reimbursement fund, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Resolutions

Mr. Pelletier of Nashua offered the following resolution:

Whereas, we have learned with regret of the death of Irenee D. Ravenelle, City Clerk of Nashua, a former member of the House of Representatives and a former Treasurer of Hillsborough County, therefore be it,

Resolved, That we, the members of the House of Representatives, pay tribute to our former fellow member for his many years of faithful service to the city, county and state, and be it further

Resolved, That the Clerk transmit a copy of these resolutions to the family.

On a *viva voce* vote the resolution was adopted.

Mr. Shea of Nashua offered the following resolution:

Whereas, we have learned of the death of Merle Custer Colburn, former Representative from Nashua, Ward 4, therefore be it

Resolved, That we, the members of the House of Representatives, extend our heartfelt sympathy to the bereaved family, and be it further

Resolved, That the Clerk transmit a copy of these resolutions to Mrs. Colburn.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford, business in order at 3 o'clock was made in order at the present time, and the third reading of bills be by their titles only.

Third Reading

House Bill No. 49, An act relating to the appropriation for timber tax reimbursement fund.

Read a third time and passed, and sent to the Senate for concurrence.

Reconsideration

Mr. Pickett of Keene moved that the House reconsider the vote whereby it passed House Bill No. 49.

The question being on the motion.

On a *viva voce* vote the motion to reconsider did not prevail.

On motion of Mrs. Wastcoat of Candia at 11:20 o'clock the House adjourned.

THURSDAY, JANUARY 25, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God, Who through the Psalmist of old hast said: "Blessed is the man whose strength is in Thee; in whose heart are Thy ways." Help us, our God, not to rely less upon our own strength, but more upon Thee; not to minimize the value of secular education, but to more fully seek Thy wisdom; not to slacken our interest in the material things of life, but to increase our interest in Thee, the giver of all strength and wisdom. May we never lose the sense of the need of that strength that comes from Thee. We ask it in the name of Christ. Amen.

Qualified

Mr. Hamilton of Lisbon having appeared before the acting Governor, Honorable Blaylock Atherton, appeared during the session on Tuesday, January 23, and took his seat as a member of the House.

Leaves of Absence

Messrs. Sterling of Hillsborough, Durkee of Seabrook and Cushing of Derry, were granted leaves of absence for the day on account of important business.

Mr. Tuttle of Atkinson was granted leave of absence for the day on account of illness.

Introduction of Bills and Joint Resolutions

The following bills and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Mr. Proulx of Manchester, House Bill No. 177, An act relating to licensing of slot machines. To the Committee on Ways and Means.

By Mr. Barry of Wilton, House Bill No. 178, An act establishing an advisory committee to the board of nurse examiners. To the Committee on Education.

By Mr. Durkee of Seabrook, House Bill No. 179, An act relative to town officers removed from office. To the Committee on Municipal and County Government.

By Mr. Gay of Derry, House Bill No. 180, An act relative to town manager plan. To the Committee on Judiciary.

By Mr. Crosby of Hillsborough, House Bill No. 181, An act relative to Hillsborough school district and bonds therefor. To the Committee on Education.

By Mr. Pickett of Keene, House Bill No. 182, An act relative to taxation of temperance societies. To the Committee on Ways and Means.

By Mr. Marden of Chichester, House Bill No. 183, An act relating to shotgun towns. To the Committee on Fish and Game.

By Mr. Martel of Manchester, House Bill No. 184, An act establishing a domestic relations court within the framework of the Superior Court. To the Committee on Judiciary.

By Mr. Martel of Manchester, House Bill No. 185, An act relative to divorce decrees. To the Committee on Judiciary.

By Mr. Martel of Manchester, House Bill No. 186, An act to establish minimum hours of labor for employees in state service. To the Committee on Executive Departments and Administration.

By Mr. Martel of Manchester, House Bill No. 187, An act relating to payment of wages. To the Committee on Labor.

By Mr. Underhill of Nashua, House Bill No. 188, An act relating to beano. To the Committee on Judiciary.

By Mr. Charland of Frankin, House Bill No. 189, An act relative to voting for county commissioners by districts. To the Committee on Judiciary.

By Mr. Underhill of Nashua, House Bill No. 190, An act relating to medical and hospitalization benefits for employees of towns. To the Committee on Municipal and County Government.

By Mr. Angus of Claremont, House Bill No. 191, An act relating to hours of work. To the Committee on Labor.

By Mr. Baron of Claremont, House Bill No. 192, An act relative to the charter of the city of Claremont. To the Delegation from the city of Claremont.

By Mr. Chandler of Warner, House Bill No. 193, An act authorizing the licensing of dog races on which the parimutuel system of betting shall be permitted. To the Committee on Ways and Means.

By Mr. Hurd of Concord, House Bill No. 194, An act relative to qualifications for the practice of public accounting. To the Committee on Executive Departments and Administration.

By Mr. Jones of Lebanon, House Bill No. 195, An act relative to proceedings in the legislature and legislative counsel. To the Committee on Appropriations.

By Mr. Jones of Lebanon, House Bill No. 196, An act relating to compensation of attaches of the legislature. To the Committee on Appropriations.

By Mr. Putnam of Hampstead, House Bill No. 197, An act relating to the appointment of tax collectors. To the Committee on Municipal and County Government.

By Mrs. Goodwin of Hollis, House Bill No. 198, An act relating to photographic copies of business and public records as evidence. To the Committee on Judiciary.

By Mr. Griffin of Lincoln, House Bill No. 199, An act relative to the salaries of the Grafton County Commissioners. To the Delegation from Grafton County.

By Mr. Janelle of Nashua, House Bill No. 200, An act relative to legal length of motor buses. To the Committee on Transportation.

By Mr. Turner of Keene, House Bill No. 201, An act to provide for an additional justice of the Superior Court. To the Committee on Judiciary.

By Mr. Turner of Keene, House Bill No. 202, An act to increase the salaries of the justices of the Supreme and Superior Courts. To the Committee on Appropriations.

By Mr. French of Weare, House Bill No. 203, An act relative to distraint and sale of personal property and the collection of personal property taxes. To the Committee on Judiciary.

By Mr. Hurd of Concord, House Bill No. 204, An act relative to statute of limitations for prosecution of offenses relative to practice of dentistry. To the Committee on Judiciary.

By Mr. Roukey of Manchester, House Bill No. 205, An act relating to fishing licenses. To the Committee on Fish and Game.

By Mr. Tobey of Concord, House Bill No. 206, An act relative to a public recording by the members of the Congress of the United States from the State of New Hampshire of any fees, gifts, gratuities, loans or other considerations received while serving as members of the United States Congress. To the Committee on Judiciary.

By Mr. Nelson of Milford, House Bill No. 207, An act relating to powers and duties of the comptroller. To the Committee on Executive Departments and Administration.

By Mr. Thompson of Laconia, House Bill No. 208, An act relative to clerk hire in the probate office of Belknap County. To the Delegation from Belknap County.

By Mr. Holden of Hanover, House Bill No. 209, An act providing for distribution of advance sheets of session laws. To the Committee on Judiciary.

By Mr. Lamson of New London, House Bill No. 210, An act relating to accident and sickness policy provisions. To the Committee on Insurance.

By Mr. Hurd of Concord, Ward No. 5, House Bill No. 211, An act relating to auctions of jewelry and related articles. To the Committee on Judiciary.

By Mr. Blodgett of Concord, Ward No. 4, House Bill No. 212, An act empowering the city of Concord to make charges for certain services. To the Delegation from the City of Concord.

By Mr. Tuttle of Atkinson, House Bill No. 213, An act relative to the collection of taxes. To the Committee on Judiciary.

By Mrs. Atwood of Sanbornton, House Bill No. 214, An act relative to radio advertising of liquor and beverages. To the Committee on Liquor Laws.

By Mr. Kearns of Manchester, House Bill No. 215, An act relating to off-sale permits. To the Committee on Liquor Laws.

By Mr. Malley of Somersworth, House Bill No. 216, An act relating to repeal of tax on stock-in-trade and livestock. To the Committee on Ways and Means.

By Mrs. Greene of Concord, House Bill No. 217, An act relating to savings bank investments in the shares of investment trust companies. To the Committee on Banks.

By Mr. Pillsbury of Manchester, House Bill No. 218, An act limiting prizes in games of beano. To the Committee on Judiciary.

By Mrs. Goodwin of Hollis, House Bill No. 219, An act relating to Public Welfare Department. To the Committee on Public Welfare and State Institutions.

By Mr. Pillsbury of Manchester, House Bill No. 220, An act relative to the sale of liquors. To the Committee on Liquor Laws.

By Mrs. Cooper of Nashua, House Bill No. 221, An act relating to contracts by married women. To the Committee on Judiciary.

By Mr. Baron of Claremont, House Bill No. 222, An act relative to the fees of public weighers. To the Committee on Municipal and County Government.

By Mr. Blodgett of Concord, House Bill No. 223, An act relating to the department of Public Welfare. To the Committee on Public Welfare and State Institutions.

By Mr. Blodgett of Concord, Ward No. 4, House Bill No. 224, An act relating to probation officers. To the Committee on Judiciary.

By Mr. Martel of Manchester, House Bill No. 225, An act relating to obscene literature, pictures and articles. To the Committee on Judiciary.

By Mr. Doonan of Greenville, House Joint Resolution No. 21, Joint resolution relative to revision of poll and property tax

laws. To the Committee on Executive Departments and Administration.

By Mr. Bass of Peterborough, House Joint Resolution No. 22, Joint resolution for a strengthened United Nations. To the Committee on Judiciary.

By Mr. Kearns of Manchester, House Joint Resolution No. 23, Joint resolution providing for the care of shore line of Hampton Beach. To the Committee on Resources, Recreation and Development.

By Mr. Betley of Manchester, House Joint Resolution No. 24, Joint resolution in favor of Mary E. Spain. To the Committee on Military and Veterans Affairs.

By Mr. Betley of Manchester, House Joint Resolution No. 25, Joint resolution in favor of Leo Devine. To the Committee on Military and Veterans Affairs.

By Mr. Pillsbury of Manchester, House Joint Resolution No. 26, Joint resolution in favor of Winthrop N. Bassett of Yarmouth, Massachusetts. To the Committee on Appropriations.

By Mr. Pillsbury of Manchester, House Joint Resolution No. 27, Joint resolution in favor of Clifford H. Bassett of Hyannis, Massachusetts. To the Committee on Appropriations.

Committee Reports

Mrs. Sawyer of Woodstock, for the Committee on Education, to whom was referred House Bill No. 55, An act granting school districts temporary emergency exemption from certain provisions of the municipal bonds statute, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. McMeekin of Haverhill, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 21, An act relative to approval of bonds of trustees of trust funds, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mrs. Brungot of Berlin, for the Committee on Judiciary, to whom was referred House Bill No. 45, An act to dissolve the

Sullivan County Railroad and Springfield Electric Railway Company, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Gardner of Littleton, for the Committee on Municipal and County Government, to whom was referred House Bill No. 11, An act relating to election of budget committee members-at-large, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 of the bill by adding at the end thereof the words, Where said members-at-large are appointive such appointments shall be made within thirty days after the annual town meeting. One third of the members-at-large shall hold office for one year, one third for two years, and one third for three years and until their successors are elected or appointed and qualified. Vacancies in the membership-at-large shall be filled by appointment by the moderator and such appointments shall be made within five days from the creation of the vacancy. Such appointees shall hold office until the next annual town meeting. The members selected by the school board, the village district commissioners and the selectmen shall hold office for one year and until their successors are qualified; so that said section as amended shall read as follows: 1. *Municipal Budget Law.* Amend section 2 of chapter 52 of the Revised Laws as amended by section 1, chapter 228 of the Laws of 1949, by inserting after the word "voting" in the nineteenth line the words, except as provided in section 2-a, so that said section as amended shall read as follows: 2. *Budget Committee.* The budget committee shall consist of three, six, nine or twelve members-at-large as the meeting adopting the provisions hereof shall by vote determine, and one member chosen by the school board of each school district wholly within said town, and one member of the board of commissioners of each village district wholly within said town to be designated by said board, and one member of the board of selectmen to be designated by said board. The members-at-large may either be appointed by the moderator or elected by the town meeting as any annual meeting may by vote determine, under a proper article in the warrant for said meeting, provided, however,

that no selectman, town manager, member of the school board or village district commissioner shall serve as a member-at-large. The majority of the members-at-large shall be property taxpayers and one of said member-at-large shall be elected by the budget committee as chairman. If said members-at-large are elected at the town meeting it shall be by majority vote by ballot or acclamation of those present and voting, except as provided in section 2-a. Where said members-at-large are appointive such appointments shall be made within thirty days after the annual town meeting. One third of the members-at-large shall hold office for one year, one third for two years, and one third for three years and until their successors are elected or appointed and qualified. Vacancies in the membership-at-large shall be filled by appointment by the moderator and such appointments shall be made within five days from the creation of the vacancy. Such appointees shall hold office until the next annual town meeting. The members selected by the school board, the village district commissioners and the selectmen shall hold office for one year and until their successors are qualified.

Amend section 2 of the bill by striking out the word "shall" in the fifth line and inserting in place thereof the word, may, so that said section as amended shall read as follows: 2. *Official Ballots.* Amend chapter 52 of the Revised Laws by inserting after section 2 the following new section: 2-a. *Election of Members-at-Large.* In any case where the town has adopted either the Australian or non-partisan ballot system for the election of its town officers, and the town has voted to elect members-at-large of the budget committee, said members-at-large may be elected by said official ballot system by plurality vote.

The report was accepted.

The question being on the amendment.

Mr. Green of Rollinsford moved that the rules be suspended and the reading of the amendment be dispensed with.

On a *viva voce* vote the motion prevailed.

The question being on the first section of the amendment.

On a *viva voce* vote the first section of the amendment was adopted.

The question being on the second section of the amendment.

On a *viva voce* vote the second section of the amendment was adopted.

The bill, as amended, was ordered to a third reading.

Mr. Chandler of Warner, for the Committee on Public Works, to whom was referred House Bill No. 39, An act relative to the New Hampshire Turnpike, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend paragraph (e) in section 1 of the bill by inserting in the third line after the word "The" the word, total; further amend by striking out the word "study" in the same line and inserting in place thereof the word, studies, so that said section as amended shall read as follows: (e) To employ such assistants, engineers or consultive services as may be necessary to carry out the provisions of paragraphs (c) and (d) of this section. The total expense of the said studies shall not exceed ten thousand dollars and shall be a charge upon the fund established under section 8 of this chapter.

The report was accepted, the amendment adopted, and the bill was referred to the Committee on Appropriations, under the rules.

Mr. Malley of Somersworth, for the Committee on Ways and Means, to whom was referred House Bill No. 22, An act relative to tax exemptions of institutions, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Malley of Somersworth, for the Committee on Ways and Means, to whom was referred House Bill No. 29, An act relating to the liability for payment of poll taxes, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Malley of Somersworth, for the Committee on Ways and Means, to whom was referred House Bill No. 28, An act relating to age of persons subject to poll taxes and exemption

of *bona fide* clergymen, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Proulx of Manchester moved to substitute the words "ought to pass" for the resolution of the committee, "inexpedient to legislate."

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Proulx and Kearns of Manchester and Pickett of Keene spoke in favor of the motion.

Messrs. Bass of Peterborough, Sanborn of Wakefield and Reed of Goffstown spoke against the motion.

On a *viva voce* vote the the motion to substitute did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Reconsideration

Mr. Bass of Peterborough moved that the House reconsider the vote whereby the House adopted the resolution of the committee, inexpedient to legislate, on House Bill No. 28, An act relating to old age of persons subject to poll taxes and exemption of *bona fide* clergymen.

On a *viva voce* vote the motion to reconsider did not prevail.

Reconsideration

Mr. Turner of Keene moved that the House take up reconsideration at the present time of House Bill No. 3, An act relating to admission to the bar for veterans.

The question being on the motion to take up reconsideration at the present time.

(Discussion ensued)

Mr. Turner of Keene spoke in favor of the motion.

Mr. Pickett of Keene spoke against the motion.

Mr. Pickett moved that the question of reconsideration on House Bill No. 3, be made a special order for Tuesday, January 30, at 11:01 o'clock.

The question being on the motion of Mr. Pickett of Keene.

(Discussion ensued)

Mr. Turner of Keene spoke against the motion.

Mr. Kearns of Manchester moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion of Mr. Pickett of Keene.

On a *viva voce* vote the motion of Mr. Pickett of Keene for a special order did not prevail.

The question being on the motion that the House take up the question of reconsideration at the present time.

On a *viva voce* vote the motion prevailed.

The question being on the motion to reconsider the vote whereby the House voted as inexpedient to legislate House Bill No. 3.

On a *viva voce* vote the motion to reconsider did not prevail.

Resolution

Mr. Sullivan of Manchester offered the following resolution:

Whereas, we have learned of the death of Mrs. Rose McCool Nolan, wife of Thomas F. Nolan, Representative from Manchester, therefore be it

Resolved, That we, the members of the House of Representatives of the New Hampshire Legislature, extend our heartfelt sympathy to our fellow member in his bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Representative Nolan.

On a *viva voce* vote the resolution was adopted.

Concurrent Resolution

Mr. Sanborn of Wakefield offered the following concurrent resolution:

Whereas, the General Court has learned with great pleas-

ure that The Right Honorable Sir Oliver Shewell Franks, K. C. B., C. B. E., Ambassador Extraordinary and Plenipotentiary from Great Britain, is to be a guest of His Excellency Governor Sherman Adams, on February 6 and 7, 1951, therefore be it

Resolved, by the House of Representatives, the Senate concurring, that the General Court invite The Right Honorable Sir Oliver Shewell Franks, K. C. B., C. B. E., Ambassador Extraordinary and Plenipotentiary from Great Britain, to address the Joint Convention on Wednesday, February 7, 1951, at 11:00 A. M.

On a *viva voce* vote the concurrent resolution was adopted, and sent to the Senate for concurrence.

Monitors and Alternates Appointed

The Speaker appointed the following members as monitors and alternates:

Division I

Seats 1- 15—Mr. Clark of Derry, Mr. Rhodes of Walpole.

Seats 16- 30—Mr. Barney of Rumney, Mr. Sargent of Danbury.

Seats 31- 53—Mr. Sullivan of Manchester, Mr. Maxfield of Rochester.

Division II

Seats 1- 20—Mr. Kelley of Littleton, Mr. Tobey of Concord.

Seats 21- 43—Mrs. Cooper of Nashua, Mr. Danforth of Manchester.

Seats 44- 73—Mr. Hambleton of Goffstown, Mr. Dodge of Concord.

Seats 74- 91—Mr. Gamsby of Sunapee, Mr. Locke of New Boston.

Division III

Seats 1- 20—Mr. Wadleigh of Milford, Mr. McDaniel of Nottingham.

Seats 21- 44—Mr. Converse of Claremont, Miss Bailey of Newport.

Seats 45- 63—Mr. Tebbetts of Concord, Mr. Pierce of Plainfield.

Seats 64- 86—Mr. Gardner of Littleton, Mr. Ferrin of Concord.

Seats 87-111—Mr. Corbett of Concord, Mr. Holden of Newington.

Division IV

Seats 1- 20—Mr. Hepworth of Derry, Mr. Hart of Laconia.

Seats 21- 44—Mrs. Brooks of Claremont, Mr. Cole of Lebanon.

Seats 45- 74—Mr. Hurd of Concord, Mr. Chase of Dover.

Seats 75- 90—Mr. Rolfe of Rochester, Mr. Spofford of Jaffrey.

Division V

Seats 1- 15—Mr. Bell of Plymouth, Mr. Washburn of Bartlett.

Seats 16- 39—Mr. Towle of Epsom, Mr. Eldredge of Exeter.

Seats 40- 55—Mr. Ashley of Lebanon, Mr. Remick of Tamworth.

On motion of Mr. Wadleigh of Milford, business in order at 3 o'clock was made in order at the present time, and the third reading of bills be read by their titles only, and when the House adjourns today it adjourns to meet Tuesday morning at 11:00 o'clock.

Third Readings

House Bill No. 11, An act relating to election of budget committee members-at-large.

House Bill No. 21, An act relative to approval of bonds of trustees of trust funds.

House Bill No. 22, An act relative to tax exemption of institutions.

House Bill No. 29, An act relating to the liability for payment of poll taxes.

House Bill No. 45, An act to dissolve the Sullivan County Railroad and Springfield Electric Railway Company.

House Bill No. 55, An act granting school districts temporary emergency exemption from certain provisions of the municipal bonds statute.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of Mrs. Williams of Grafton at 12:40 o'clock the House adjourned.

TUESDAY, JANUARY 30, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God, Who hast appointed a day when the kingdoms of this world shall become the Kingdom of our Lord and his Christ; direct the thinking of all peoples everywhere. In these days of mistrust and misunderstanding among nations, we beseech Thee to shed abroad Thy peace upon the world. Lead all nations in the way of mutual help and good will, and we especially implore Thee to be with the United Nations at this time. Give the members of this body a deep desire to seek the good and security of all mankind. We ask it in the name of the Prince of peace. Amen.

Leaves of Absence

Mr. Sawyer of Concord was granted leave of absence for the day on account of important business.

Messrs. Parker of Farmington and Rhodes of Walpole were granted leaves of absence for the week on account of illness.

Introduction of Bills and Joint Resolutions

The following bills and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Evans of Lancaster, House Bill No. 226, An act to regulate the practice of land surveying. To the Committee on Judiciary.

By Mr. Thompson of Laconia, House Bill No. 227, An act authorizing the sale of certain property of the state. To the Committee on Resources, Recreation and Development.

By Mrs. Atwood of Sanbornton, House Bill No. 228, An act to provide for the approval of private educational and training institutions by the state board of education. To the Committee on Education.

By Mr. Janelle of Nashua, House Bill No. 229, An act relative to the salary of the deputy register of probate for the county of Hillsborough. To the Committee on Appropriations.

By Mr. Hurd of Concord, House Bill No. 230, An act authorizing the Commissioner of Public Works and Highways to fix weight limits of motor vehicles on certain roads. To the Committee on Transportation.

By Mr. Grass of Franconia, House Bill No. 231, An act relative to location and construction of school buildings. To the Committee on Education.

By Mr. Rowell of Newport, House Bill No. 232, An act relative to taking fish from lakes, ponds and rivers partly in another state. To the Committee on Fish and Game.

By Mrs. Griffin of Auburn, House Bill No. 233, An act relating to the enumeration of children. To the Committee on Education.

By Mr. Durkee of Seabrook, House Bill No. 234, An act relative to abatement of taxes. To the Committee on Judiciary.

By Mr. Moore of Bradford, House Bill No. 235, An act relative to printing town tax levies. To the Committee on Municipal and County Government.

By Mr. Tuttle of Atkinson, House Bill No. 236, An act relative to assessment and collection of poll taxes. To the Committee on Judiciary.

By Mr. Pillsbury of Manchester, House Bill No. 237, An act increasing death benefits under workmen's compensation. To the Committee on Labor.

By Mr. Kearns of Manchester, House Bill No. 238, An act relative to use of false names for political endorsement. To the Committee on Judiciary.

By Mr. Turner of Keene, House Bill No. 239, An act relative to allowances for personal services in the settlement of estates. To the Committee on Judiciary.

By Mr. Pillsbury of Manchester, House Bill No. 240, An act relating to co-operative school districts. To the Committee on Education.

By Mrs. Dondero of Portsmouth, House Bill No. 241, An act relative to so-called write-in political candidates. To the Committee on Judiciary.

By Mr. Healy of Manchester, Ward 6, House Bill No. 242, An act relative to suits by and against administrators. To the Committee on Judiciary.

By Mr. Pickett of Keene, House Bill No. 243, An act relative to purchasing procedures involving books and supplies at state teachers college. To the Committee on Executive Departments and Administration.

By Mr. Roy of Manchester, Ward 8, House Bill No. 244, An act providing for election of ward political committee in the city of Manchester. To the Delegation from the City of Manchester.

By Mr. Malley of Somersworth, House Bill No. 245, An act for the taxation of property passing by sale at retail. To the Committee on Ways and Means.

By Mr. Wilson of Antrim, House Bill No. 246, An act relative to the sale of liquors and beverages within one hundred feet of a school or church yard. To the Committee on Liquor Laws.

By Mr. Martel of Manchester, House Bill No. 247, An act relating to labeling of products manufactured in the state prison. To the Committee on Public Welfare and State Institutions.

By Mr. Angus of Claremont, House Bill No. 248, An act relating to unemployment compensation. To the Committee on Labor.

By Mr. Martel of Manchester, House Bill No. 249, An act relating to construction contracts at the University. To the Committee on Executive Departments and Administration.

By Mr. Thompson of Laconia, House Bill No. 250, An act relative to the salaries of the city councilmen of Laconia. To the Delegation from the City of Laconia.

By Mr. Thompson of Laconia, House Bill No. 251, An act relative to the salary of the mayor of Laconia. To the Delegation from the City of Laconia.

By Mr. Thompson of Laconia, House Bill No. 252, An act relative to the election of city officers of the city of Laconia. To the Delegation from the City of Laconia.

By Mr. Thompson of Laconia, House Bill No. 253, An act relative to the city clerk of the city of Laconia. To the Delegation from the City of Laconia.

By Mr. Thompson of Laconia, House Bill No. 254, An act creating a board of fire commissioners for the city of Laconia. To the Delegation from the City of Laconia.

By Mr. Pillsbury of Manchester, House Bill No. 255, An act relative to computation of average weekly wages under workmen's compensation. To the Committee on Labor.

By Mr. Pillsbury of Manchester, House Bill No. 256, An act relative to compensation of death under workmen's compensation in certain cases. To the Committee on Labor.

By Mr. Pillsbury of Manchester, House Bill No. 257, An act relating to liability of third persons under workmen's compensation law. To the Committee on Labor.

By Mr. Pillsbury of Manchester, House Bill No. 258, An act relative to compensation for permanent partial disability under workmen's compensation in certain cases. To the Committee on Labor.

By Mr. Pillsbury of Manchester, House Bill No. 259, An act relative to collection of fines from employers under workmen's compensation law. To the Committee on Labor.

By Mr. Pillsbury of Manchester, House Bill No. 260, An act relative to definition of terms under workmen's compensation law. To the Committee on Labor.

By Mr. Pillsbury of Manchester, House Bill No. 261, An act relating to notices of proceedings under workmen's compensation law. To the Committee on Labor.

By Mr. Carroll of Dover, House Bill No. 262, An act relative to educational moving pictures. To the Committee on Executive Departments and Administration.

By Mr. O'Neil of Concord, House Bill No. 263, An act forbidding employers to charge individuals a fee for a medical examination, as a condition of employment subject to certain restrictions. To the Committee on Labor.

By Mr. French of Weare, House Bill No. 264, An act relative to record of sale of personal property. To the Committee on Judiciary.

By Mrs. Goodwin of Hollis, House Bill No. 265, An act relating to the reciprocal enforcement of support. To the Committee on Judiciary.

By Mr. Blodgett of Concord, House Bill No. 266, An act increasing municipal permit fees for registration of motor vehicles. To the Committee on Municipal and County Government.

By Mr. Hart of Wolfeboro, House Bill No. 267, An act

relative to property holding of the Huggins Hospital in the town of Wolfeboro. To the Committee on Judiciary.

By Mrs. Brungot of Berlin, House Bill No. 268, An act relative to qualifications for scholarship for orphans of veterans. To the Committee on Education.

By Mr. Loiselle of Concord, House Bill No. 269, An act relating to the registration of architects. To the Committee on Executive Departments and Administration.

By Mr. Kearns of Manchester, House Joint Resolution No. 28, Joint resolution relative to purchase of automobiles by state employees and officials. To the Committee on Executive Departments and Administration.

By Mr. Hart of Wolfeboro, House Joint Resolution No. 29, Joint resolution in favor of Agnes S. Walter. To the Committee on Appropriation.

Committee Reports

Mr. Giesel of Manchester, for the Committee on Banks, to whom was referred House Bill No. 76, An act relating to interest charges by credit unions, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. McMeekin of Haverhill, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 25, An act relative to making Good Friday a legal holiday, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolution:

Whereas, the General Court has learned with great pleasure that The Right Honorable Sir Oliver Shewell Franks, K. C. B., C. B. E., Ambassador Extraordinary and Plenipo-

tentiary from Great Britain, is to be a guest of His Excellency Governor Sherman Adams, on February 6 and 7, 1951, therefore be it

Resolved, by the House of Representatives, the Senate concurring, that the General Court invite The Right Honorable Sir Oliver Shewell Franks, K. C. B., C. B. E., Ambassador Extraordinary and Plenipotetniary from Great Britain to address the Joint Convention on Wednesday, February 7, 1951, at 11:00 A. M.

Resolution

Mr. Pelletier of Nashua offered the following resolution:

Whereas, we have learned with regret of the serious illness of our former fellow member from Nashua, Senator Louis W. Paquette, who is confined to the St. Joseph's Hospital in Nashua, therefore be it

Resolved, That we extend our greetings to the Senator and our best wishes for his speedy recovery, and be it further

Resolved, That the Clerk be instructed to send a copy of these resolutions to Senator Paquette.

On a *viva voce* vote the resolution was adopted.

Printing Dispensed With

Mr. Hart of Wolfeboro moved that the rules be suspended and the printing of House Joint Resolution No. 29, Joint resolution in favor of Agnes S. Walter, be dispensed with.

On a *viva voce* vote the motion prevailed.

On motion of Mr. Wadleigh of Milford, business in order at 3 o'clock was made in order at the present time and the third reading of bills read by their titles only.

Third Reading

House Bill No. 76, An act relating to interest charges by credit unions.

Read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Collins of Lisbon at 11:35 o'clock the House adjourned.

WEDNESDAY, JANUARY 31, 1951

The House met according to adjournment.

Prayer was offered by the Rev. William J. Kitto, Pastor of the First Presbyterian Church of Manchester.

Eternal God,—Father, Son and Holy Spirit in perfect unity,—enable us to be united as Thou art. Help us to work together for our own good, and for the benefit of the state, nation, and world in which we dwell. Lead us ever nearer to the day when, free from prejudice, hatred and fear, Thy people shall live together in peace. Through Jesus Christ our Lord. Amen.

Leaves of Absence

Mr. Smith of Loudon was granted leave of absence for the day on account of important business.

Messrs. French of Bedford, Pushee of Lyme and Pinkham of Northwood, were granted leaves of absence for the remainder of the week on account of illness.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:.

By Mr. Kazakis of Manchester, House Bill No. 270, An act establishing the New Hampshire Power Authority and defining its powers and duties. To the Committee on Judiciary.

By Mr. Hurd of Concord, House Bill No. 271, An act relative to the practice of dentistry. To the Committee on Public Health.

By Mr. Abbott of Hudson, House Bill No. 272, An act relative to fees or licenses to hunt or fish. To the Committee on Fish and Game.

By Mrs. Record of Nashua, House Bill No. 273, An act relative to the state share of the salaries of superintendents of supervisory unions. To the Committee on Education.

By Mrs. Studley of Rochester, House Bill No. 274, An act relative to the practice of chiropractic. To the Committee on Public Health.

By Rules Committee, House Bill No. 275, An act providing for the classification of certain surface waters. To the Committee on Resources, Recreation and Development.

By Rules Committee, House Bill No. 276, An act providing for the classification of certain surface waters. To the Committee on Resources, Recreation and Development.

By Rules Committee, House Bill No. 277, An act providing for the classification of certain surface waters. To the Committee on Resources, Recreation and Development.

By Rules Committee, House Bill No. 278, An act providing for the classification of certain surface waters. To the Committee on Resources, Recreation and Development.

By Rules Committee, House Bill No. 279, An act providing for the classification of certain surface waters. To the Committee on Resources, Recreation and Development.

By Rules Committee, House Bill No. 280, An act providing for the classification of certain surface waters. To the Committee on Resources, Recreation and Development.

By Rules Committee, House Bill No. 281, An act providing for the classification of certain surface waters. To the Committee on Resources, Recreation and Development.

By Mr. Black of Bennington, House Bill No. 282, An act relative to hunting on privately owned land. To the Joint Committee on Judiciary and Fish and Game.

By Mr. Brown of Strafford, House Bill No. 283, An act relative to discharging firearms near buildings. To the Committee on Judiciary.

By Mr. Brown of Strafford, House Bill No. 284, An act relating to the trespassing on posted land. To the Committee on Judiciary.

By Mr. Loiselle of Concord, House Bill No. 285, An act to regulate the practices of professional engineering. To the Committee on Executive Departments and Administration.

By Rules Committee, House Bill No. 286, An act to assist needy school districts in providing adequate opportunity to improve the educational offerings of the public elementary and high schools. To the Committee on Education.

By Rules Committee, House Bill No. 287, An act relative to construction, equipment and furnishing of a new state office building. To the Committee on Appropriations.

By Rules Committee, House Bill No. 288, An act relative to school district insurance. To the Committee on Education.

By Rules Committee, House Bill No. 289, An act relating to powers of the highway commissioner. To the Committee on Public Works.

By Rules Committee, House Bill No. 290, An act relative to child labor. To the Committee on Labor.

By Rules Committee, House Bill No. 291, An act to authorize New England Power Company to acquire and exercise in New Hampshire all the New Hampshire rights, properties and franchise of Connecticut River Company. To the Committee on Judiciary.

Committee Reports

Mrs. Sawyer of Woodstock, for the Committee on Elections, to whom was referred petition of Lyle R. Heath of Belmont praying for a seat in the House, reported the same with the following resolution:

Resolved, That the petition be denied.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Hall of Londonderry, for the Committee on Public Health, to whom was referred House Bill No. 53, An act relative to purity of foods and drugs procedures by state department of health in connection therewith, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend paragraph IV in section 7 of the bill by striking out in the seventh line the word "or" and inserting in place thereof the word, and, and further amend by striking out in the seventh and eighth lines the words "or in any other manner render the same unsalable as human food," so that said section as amended shall read as follows:

IV. Whenever the state board of health or any of its authorized agents shall find in any vehicle, room, building, or other structure, any meat, sea food, poultry, vegetable, fruit or other perishable articles which are unsound, or contain any filthy, decomposed, or putrid substance, or that may be poisonous or deleterious to health or otherwise unsafe, the same being hereby declared to be a nuisance, the board, or

its authorized agent, shall forthwith condemn and destroy the same.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Miller of Fitzwilliam, for the Committee on Transportation, to whom was referred House Bill No. 46, An act relating to the operation, registration and licensing of motor vehicles, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 2 of the bill by striking out in the third and sixth lines the word "ten" and inserting in place thereof the word, five, so that said section as amended shall read as follows:

2. *Fee for Inspection Stickers.* Amend chapter 116 of the Revised Laws by inserting after section 11 the following new section: 11-a. *Fee for Inspection Stickers.* The fee for inspection stickers shall be five cents for each sticker furnished an approved inspection station. All unused stickers returned by the approved inspection station to the motor vehicle department shall be refundable at the rate of five cents each.

Amend section 4 of the bill by striking out said section and inserting in place thereof the following:

4. *Temporary Plates.* Amend section 51 of chapter 116 of the Revised Laws, as amended by section 4 of chapter 177 of the Laws of 1947, by striking out the word "five" in the seventh line and inserting in place thereof the word, ten; further amend by striking out in the second line the word "shall" and inserting in place thereof the words, except those manufacturers or dealers that may be relieved of such requirements by the commissioner, may, so that said section as amended shall read as follows:

51. *Temporary Plates.* A manufacturer or dealer, except those manufacturers or dealers that may be relieved of such requirement by the commissioner, may upon the sale or exchange of a motor vehicle, trailer, semi-trailer, or tractor, attach to such motor vehicle, trailer, semi-trailer, or tractor a set of temporary number plates, and the purchaser of such motor vehicle, trailer, semi-trailer, or tractor may operate the same for a period not to exceed ten consecutive days thereafter without payment of a registration fee.

Amend section 5 of the bill by striking out in the fourth and eleventh lines the words "one dollar" and inserting in place thereof the words, fifty cents, so that said section as amended shall read as follows:

5. *Additional Plates.* Amend section 2 of chapter 118 of the Revised Laws by striking out the words "one dollar" in the third line and inserting in place thereof the words, two dollars, and by striking out the words, "twenty cents" in the seventh line and inserting in place thereof the words, fifty cents, so that said section as amended shall read as follows: 2. *Additional Plates.* For every additional number plate furnished to replace such as have been lost or mutilated, or which are illegible, the commissioner shall collect two dollars; for every additional pair of number plates furnished to a manufacturer of or dealer in motor vehicles other then motor cycles whose business requires more than three pairs of such plates, eight dollars; for every set of temporary number plates furnished to a manufacturer or dealer, fifty cents; and for every additional pair of number plates furnished to a manufacturer of or dealer in motor cycles whose business requires more than three pairs of such plates, two dollars.

Amend section 9 of the bill by inserting after the figures "1949" in the second line the words: by striking out in the first line the words "motor vehicle" and inserting in place thereof the words, school bus; further amend said section by striking out in the fourth line the words "motor vehicle" and inserting in place thereof the words, school bus and; so that said section as amended shall read as follows:

9. *School Buses.* Amend section 13 of chapter 119 of the Revised Laws, as amended by section 2 of chapter 114 of the Laws of 1949, by striking out in the first line the words "motor vehicle" and inserting in place thereof the words school bus; and by inserting before the word "rear" in the fourth line the words, front and, so that said section as amended shall read as follows: 13. *School Buses.* No school bus used for the purpose of transporting school children shall be operated upon the highways of the state unless it carries the designation "School Bus" in a conspicuous place in the front and rear thereof in lettering not less than six inches in height, and has such other distinguishing marks as the commissioner may prescribe. When a school bus is being

operated upon a highway for purposes other than the transportation of school children, all designating marks thereon indicating school bus shall be covered or concealed.

Amend section 11 of the bill by striking out all of said section and inserting in place thereof the following:

11. *Regulation of School Buses.* Amend chapter 119 of the Revised Laws by inserting after section 19 the following new section: 19-a. The State Board of Education and the commissioner of motor vehicles shall jointly prepare and adopt regulations and specifications to govern the design, construction and operation of all vehicles used for the transportation of school children when owned and operated by any school district or privately owned and operated under contract with any school district in this state, and such regulations shall by reference be made a part of any such contract with a school district. All school transportation contracts and all school transportation routes, whether for district owned vehicles or for vehicles operating under contract, shall be subject to the approval of the state board of education.

The report was accepted.

The question being on the amendments as printed in the Journal of Tuesday, January 30.

On a *viva voce* vote the amendments were adopted, and the bill ordered to a third reading.

Mr. Wedick of Manchester, for the Committee on Resources, Recreation and Development, to whom was referred Senate Bill No. 1, An act naming Mowglis Mountain, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Wedick of Manchester, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 5, An act prohibiting the use of power boats on Lake Whittemore in the town of Bennington, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Wedick of Manchester, for the Committee on Resources, Recreation and Development, to whom was referred

House Bill No. 42, An act changing the name of Pawtuckaway pond, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Order Vacated

Mr. English of Hancock moved that the order whereby House Bill No. 136, An act relative to support of permanently and totally disabled persons, was referred to the Committee on Public Welfare and State Institutions, be vacated and the bill be referred to a joint committee consisting of the Committee on Public Welfare and State Institutions and the Committee on Appropriations.

On a *viva voce* vote the motion prevailed.

Concurrent Resolution

Mr. Sanborn of Wakefield offered the following concurrent resolution:

Concurrent Resolution

Regarding Accounting Procedures by Commissioner of the Treasury

Resolved by the House of Representatives, the Senate concurring:

Whereas, the provisions of section 3 of chapter 22 of the Revised Laws require that the treasurer of the state shall keep separate accounts with each officer entitled to a salary, and with each appropriation, and

Whereas, no such accounts have been established in the treasury during the current fiscal year, and

Whereas, legislation is now pending in the General Court relating to the accounting procedures of the treasury, and

Whereas, the General Court holds in high regard the competency and integrity of the incumbent commissioner of the treasury,

Now Therefore, the General Court Resolves, That the commissioner of the treasury for the time being shall be excused from complying with the requirements of section 3 of chapter 22 of the Revised Laws until such time as the legislation now pending before the General Court shall be disposed of but not

longer than until June 30, 1951, provided however, that this resolution shall not be construed to relieve the commissioner of any other duties prescribed by the constitution and laws of this state.

The question being on the concurrent resolution.

(Discussion ensued)

Messrs. Sanborn of Wakefield and Spaulding of Hudson spoke in favor of the concurrent resolution.

On a *viva voce* vote the concurrent resolution was adopted, and sent to the Senate for concurrence.

Resolution

Mr. Kershaw of Swanzey offered the following resolution:

Whereas, we have learned of the illness of E. Everett Rhodes, Jr., representative from Walpole, therefore be it

Resolved, That we, the members of the House of Representatives, express our sympathy to our fellow member and our best wishes for a speedy recovery to health, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Representative Rhodes.

On a *viva voce* voce the resolution was adopted.

On motion of Mr. Wadleigh of Milford, business in order at 3 o'clock was made in order at the present time and the third reading of bills be read by their titles only.

Third Readings

House Bill No. 5, An act prohibiting the use of power boats on Lake Whittemore in the town of Bennington.

House Bill No. 42, An act changing the name of Pawtuckaway Pond.

House Bill No. 46, An act relating to the operation, registration and licensing of motor vehicles.

Severally read a third time and passed, and sent to the Senate for concurrence.

Reconsideration

Mr. Pillsbury of Manchester moved that the House reconsider the vote whereby it passed House Bill No. 46.

On a *viva voce* vote the motion to reconsider did not prevail.

House Bill No. 53, An act relative to purity of foods and drugs procedures by state department of health in connection therewith.

Read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 1, An act naming Mowglis Mountain.

Read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Dustin of Rochester at 11:40 o'clock the House adjourned.

THURSDAY, FEBRUARY 1, 1951

The House met according to adjournment.

Prayer was offered by Rev. William F. Brown, Pastor of The First Baptist Church in Newport.

Eternal God our Father, who with Thy strong arm and sleepless vigilance doest govern all peoples that look to Thee for guidance; we rejoice in the tokens of Thy favor which have been our portion hitherto and now. Lead us, we pray, and grant that neither through arrogance begotten of prosperity, nor conceit bred of successful achievement, may we forget our dependence upon Thee for all good things, lest we be cast from Thy presence into the valley of destruction.

Bless, O Lord, the President of these United States and the Governor of our State and all of those who sit in the seats of authority, impart purity of motive, right judgment in counsel, discretion in administration.

To the people of the land grant loyalty, industry and godliness, and may we all shrink from the selling of our souls to save our bodies. Grant that all things may tend to the healing of divisions, the establishment of peace, and the promotion of Thy kingdom among men. Plant virtue in every soul; and may the love of Thy name hallow every home and every heart. Amen.

Leaves of Absence

Messrs. Sterling of Hillsborough, Spaulding of Hudson, Black of Bennington and Towle of Epsom and Mesdames St. Pierre and Studley of Rochester and Wastcoat of Candia were granted leave of absence for the day on account of important business.

Mrs. Winters of Rochester was granted leave of absence for the day on account of illness.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Mr. Rathbun of Harrisville, House Bill No. 292, An act relative to the transfer of the Cannon Mountain Tramway Fund. To the Committee on Resources, Recreation and Development.

By Mr. Ingraham of Portsmouth, House Bill No. 293, An act relative to administration of estates. To the Committee on Judiciary.

By Mr. Hart of Wolfeboro, House Bill No. 294, An act relative to the military rank of the adjutant-general. To the Committee on Military and Veterans' Affairs.

By Rules Committee, House Bill No. 295, An act relative to forest conservation and taxation. To the Committee on Resources, Recreation and Development.

By Mr. Malley of Somersworth, House Bill No. 296, An act providing for an income tax. To the Committee on Ways and Means.

By Mr. English of Hancock, House Bill No. 297, An act relative to eligibility for old age assistance of certain persons. To the Committee on Public Welfare and State Institutions.

By Mr. Burnham of Alstead, House Bill No. 298, An act legalizing the election of November, 1950, in the town of Alstead. To the Committee on Municipal and County Government.

By Mr. Barry of Wilton, House Bill No. 299, An act to legalize the biennial election held in the town of Wilton, November 7, 1950. To the Committee on Municipal and County Government.

By Mr. Rowell of Newport, House Bill No. 300, An act validating certain town meetings held in the town of Newport. To the Committee on Municipal and County Government.

Engrossed Bills Report

Mrs. Shields of Berlin, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 2, An act relating to the change of name of the Milford Building and Loan Association.

House Bill No. 129, An act relative to Bristol School District.

House Bill No. 130, An act relative to Canaan School District.

Senate Bill No. 1, An act naming Mowglis Mountain.

The report was accepted.

Printing Dispensed With

Mr. Sanborn of Wakefield moved that the rules be suspended and printing of House Bills Nos. 298 and 299 be dispensed with.

The question being on the motion.

(Discussion ensued)

Mr. Sanborn of Wakefield spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mr. Rowell of Newport moved that the rules be suspended and the printing of House Bill No. 300 be dispensed with.

The question being on the motion.

(Discussion ensued)

Mr. Rowell of Newport spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Committee Reports

Mr. Brown of Strafford, for the Committee on Agriculture, to whom was referred House Bill No. 12, An act relative to marking on closed packages of apples, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Brown of Strafford, for the Committee on Agriculture, to whom was referred House Bill No. 56, An act for county cooperative extension work in agriculture and home economics, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations, under the rules.

Mr. McMeekin of Haverhill, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 33, An act relating to income taxes, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. McMeekin of Haverhill, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 80, An act relative to the charter of the Goffstown Fire Precinct, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tobey of Concord, for the Committee on Judiciary, to whom was referred House Bill No. 15, An act relative to the filing of campaign receipts and expenditures by political committees, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by inserting before the word "addresses" in lines 9 and 10 the word, "residence"; and by inserting after the word "made" in line 13 the words, unless previously reported, so that said section as amended shall read as follows:

1. *Political Expenditures.* Amend section 20 of chapter 42 of the Revised Laws by striking out said section and inserting in place thereof the following: 20. *Statement by State Committee.* The state committee of every political party and every other political committee shall file, on the third day preceding the primary election or the general election, as the case may be, with the secretary of state and also publish in two daily newspapers in this state, an itemized statement signed and sworn to by its chairman and treasurer,

showing in detail all its receipts whensoever received, with the full names and residence addresses of the persons by whom they were contributed and the respective amounts thereof, and the full names and residence addresses of the persons, corporations or committees to whom they were paid with the specific nature and amount of each expenditure, regardless of when such expenditure was made, unless previously reported. All expenditures, whether included or excluded from the limitations set forth in section 5 hereof, shall be so reported. Within fifteen days after said election, another itemized statement, signed and sworn to by the same officers, shall be likewise filed and published, covering in like manner all receipts and expenditures subsequent to the first statement.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Perkins of Concord spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mrs. Cooper of Nashua, for the Committee on Judiciary, to whom was referred House Bill No. 23, An act relating to town expenditures between December thirty-first and the next annual meeting, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Town and Village District Officers.* Amend chapter 59 of the Revised Laws by inserting after section 13 the following new section: 13-a. *Interim Duties.* During the interval between the end of the town or village district fiscal year and the annual town meeting or village district meeting or any adjournment thereof at which annual appropriations are made, selectmen and other town officers and village district officers authorized to make expenditures may incur liabilities and make proper expenditures for all necessary and proper purposes in conducting and managing the ordinary and usual business of the town or any department thereof or the village district, and all such liabilities and payments shall be a lawful charge against the appropriations to be made at the next annual meet-

ing of such town or village district. No selectman, treasurer or other fiscal agent or officer of the town, or commissioner, treasurer or other fiscal agent or officer of the village district shall be personally liable for any liability or expenditure made as provided above. No expenditure or liability for unauthorized new construction or unauthorized new equipment shall be made or incurred hereunder.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Wadleigh of Milford, for the Committee on Judiciary, to whom was referred House Bill No. 43, An act relating to the collection of taxes against non-residents, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the word "officer" in line 3 and inserting in place thereof the word, "officers", so that said section as amended shall read as follows:

1. *Collection of Taxes.* Amend chapter 80 of the Revised Laws by inserting after section 43 the following new section: 43-a. *Actions Against Non-Residents.* The officers responsible for the collection of any tax of any state or commonwealth of the United States of America, or any political subdivision thereof, shall have the right to bring an action or suit in the courts of this state to recover any unpaid tax against a person within this jurisdiction, when the same or a similar right is accorded to the proper officer of this state or any of its political subdivisions by such state or commonwealth either by law or comity.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Miller of Fitzwilliam, for the Committee on Transportation, to whom was referred House Bill No. 47, An act relative to registration and operation of motor vehicles by persons entering the military service of the United States for national defense and powers of the commissioner of motor vehicles, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Miller of Fitzwilliam, for the Committee on Transportation, to whom was referred House Bill No. 48, An act relative to registration of motor vehicles of amputees, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives.

House Bill No. 2, An act relating to the change of name of the Milford Building & Loan Association.

House Bill No. 129, An act relative to the Bristol School District.

House Bill No. 130, An act relative to the Canaan School District.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 4, An act changing the name of Keene Building & Loan Association of Keene, to Keene Cooperative Bank.

Senate Bill Read and Referred

Senate Bill No. 4, An act changing the name of Keene Building & Loan Association of Keene, to Keene Cooperative Bank.

Read a first and second time and referred to the Committee on Banks.

On motion of Mr. Wadleigh of Milford, business in order at 3 o'clock was made in order at the present time and the third reading of bills be read by their titles only and when the House adjourns today it adjourns to meet Tuesday at 11:00 o'clock.

Third Readings

House Bill No. 12, An act relative to marking on closed packages of apples.

House Bill No. 15, An act relative to the filing of campaign receipts and expenditures by political committees.

Severally read a third time and passed and sent to the Senate for concurrence.

Reconsideration

Mr. Tobey of Concord moved that the House reconsider the vote whereby it passed House Bill No. 15.

On a *viva voce* vote the motion to reconsider did not prevail.

House Bill No. 23, An act relating to town expenditures between December thirty-first and the next annual meeting.

House Bill No. 33, An act relating to income taxes.

House Bill No. 43, An act relating to the collection of taxes against non-residents.

House Bill No. 47, An act relative to registration and operation of motor vehicles by persons entering the military service of the United States for national defense and powers of the commissioner of motor vehicles.

House Bill No. 48, An act relative to registration of motor vehicles of amputees.

House Bill No. 80, An act relative to the charter of the Goffstown Fire Precinct.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Dort of Chesterfield at 11:55 o'clock the House adjourned.

TUESDAY, FEBRUARY 6, 1951

The House met according to adjournment.

Prayer was offered by Rev. Edwin A. Olson, Pastor of the Congregational Church, Hollis, New Hampshire.

O God, in whom we live and move and have our being, in the midst of our human affairs we remember Thee. Be with us when the burdens of life press heavily upon us. Grant us courage to confront our difficulties squarely and to believe that by Thy help we can do all things. In the midst of the

complexity and the hazard of these days may we find the way to an inward calmness that shall be the promise of an ultimate peace among nations. Help us to understand the part we play in the great pattern of history. Make us faithful to the trust which our fellowmen repose in us. May all our people have the assurance that there is a destiny which befriends us and leads through many tribulations unto Thy great kingdom. Through Christ our Lord. Amen.

Leaves of Absence

Mr. Dionne of Nashua was granted leave of absence for the day on account of illness.

Messrs. Bascom of Acworth and Colcord of Plaistow, and Mrs. Weeks of Gilford, were granted leaves of absence for the week on account of illness.

Qualified

Mr. Harlan C. Skinner of Orford, having appeared before His Excellency the Governor, appeared during the session and took his seat as a member.

Introduction of Bills and Joint Resolutions

The following bills and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Mr. Kelley of Littleton, House Bill No. 301, An act relative to hunting on posted land. To the Committee on Judiciary.

By Mr. Eldredge of Exeter, House Bill No. 302, An act relative to lobster pots. To the Committee on Fish and Game.

By Mr. Eldredge of Exeter, House Bill No. 303, An act changing the name of the Charles F. and Mary E. Folsom Home of Exeter. To the Committee on Executive Departments and Administration.

By Mr. Moore of Bradford, House Bill No. 304, An act relative to the ballot-law commission. To the Committee on Judiciary.

By Mr. Shaheen of Dover, House Bill No. 305, An act increasing the commission on pari-mutuel pools. To the Committee on Ways and Means.

By Mr. Stackpole of Dover, House Bill No. 306, An act prohibiting any subversive organizations, and subversive literature or actions of any kind in the State of New Hampshire. To the Committee on Judiciary.

By Mr. Bass of Peterborough, House Bill No. 307, An act increasing registration fees for pharmacists and pharmacies. To the Committee on Ways and Means.

By Mr. Turner of Keene, House Bill No. 308, An act relating to investments of trust funds of the Industrial School and cemetery corporation. To the Committee on Judiciary.

By Mr. Hodgdon of Tuftonboro, House Bill No. 309, An act relative to payments by tax collector. To the Committee on Municipal and County Government.

By Mr. Cavanaugh of Manchester, House Bill No. 310, An act relative to highway commissioners for the city of Manchester. To the Manchester Delegation.

By Messrs. Pickett of Keene, Underhill of Nashua and Rolfe of Rochester, House Bill No. 311, An act increasing the salaries of the state liquor commissioners. To the Committee on Appropriations.

By Mr. Gauthier of Manchester, House Bill No. 312, An act relative to the salaries of the commissioners of Hillsborough County. To the Delegation from the County of Hillsborough.

By Mr. Gilbert of Wentworth, House Bill No. 313, An act providing for a uniform open season for taking wild deer. To the Committee on Fish and Game.

By Mr. Durkee of Seabrook, House Bill No. 314, An act relative to voting by ballot at town meetings. To the Committee on Municipal and County Government.

By Mrs. Griffin of Auburn, House Joint Resolution No. 30, Joint Resolution in favor of the town of Auburn. To the Committee on Appropriations.

By Mr. Pickett of Keene, House Joint Resolution No. 31, Joint resolution in favor of Marvin D. Smith. To the Committee on Appropriations.

By Mr. Willey of Campton, House Joint Resolution No. 32, Joint resolution in favor of Gladys Johnson. To the Committee on Appropriations.

Printing Dispensed With

On motion of Mr. Sanborn of Wakefield, the rules were suspended, and printing of House Bill No. 303 was dispensed with.

On motion of Mr. Willey of Campton, the rules were suspended, and the printing of House Joint Resolution No. 32, was dispensed with.

Engrossed Bill Report

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bill:

House Bill No. 49, An act relating to the appropriation for timber tax reimbursement fund.

The report was accepted.

Resolutions

Mrs. Atwood of Sanbornton offered the following resolution:

Whereas, we have learned with regret of the serious illness of John MacNair Ewing, Representative from Ward 6 of Laconia, be it therefore

Resolved, That we, the members of this House of Representatives extend our sympathy to our fellow member and our best wishes for his speedy recovery, and be it further

Resolved, That the Clerk be instructed to send a copy of these resolutions to Mr. Ewing.

On a *viva voce* vote the resolution was adopted.

Mrs. Brungot of Berlin offered the following resolution:

Whereas, we have learned with regret of the death of Ernest Gagnon, husband of Rebecca Gagnon, a representative for many sessions from the city of Berlin, therefore be it

Resolved, That we, the members of this House of Representatives extend our sympathy to our former fellow member in her bereavement, and be it further

Resolved, That the Clerk be instructed to send a copy of these resolutions to Mrs. Gagnon.

On a *viva voce* vote the resolution was adopted.

Mr. Sanborn of Wakefield offered the following resolution:

Whereas, Thursday, February 22nd, is Washington's birthday, a legal holiday, therefore be it

Resolved, That during that week the working days of the House shall be Monday, Tuesday and Wednesday, February 19th, 20th, and 21st.

On a *viva voce* vote the resolution was adopted.

Committee Reports

Mrs. Atwood of Sanbornton, for the Committee on Education, to whom was referred House Bill No. 69, An act authorizing the Hopkinton School District in the town of Hopkinton to borrow money and to issue serial notes or bonds, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Turner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 36, An act relative to the charter of the Trustees of the Protestant Episcopal Church in New Hampshire, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mrs. Brungot of Berlin, for the Committee on Judiciary, to whom was referred House Bill No. 57, An act relative to affidavits by absentee voters, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. English of Hancock, for the Committee on Public Welfare and State Institutions, to whom was referred House Joint Resolution No. 2, Joint resolution relating to the transfer of funds of the Department of Public Welfare, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by House Bill No. 136.

The report was accepted and the resolution of the committee adopted.

Mrs. Cooper of Nashua, for the Committee on Judiciary, to whom was referred House Bill No. 67, An act providing for the assessment of buildings separately from the land on which they stand, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee, inexpedient to legislate.

Mr. Rathbun of Harrisville moved that the words, ought to pass, be substituted for the resolution of the committee, inexpedient to legislate.

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Rathbun of Harrisville and Pickett of Keene spoke in favor of the motion.

Messrs. Perkins of Concord, Wadleigh of Milford, Barry of Wilton, Geisel of Manchester, Spaulding of Hudson and Holden of Hanover, and Mrs. Cooper of Nashua, spoke against the motion.

Mr. Getz of Manchester moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute the words, ought to pass, for the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the motion to substitute did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Reconsideration

Mr. Pillsbury of Manchester moved that the House reconsider the vote whereby it adopted the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the motion to reconsider did not prevail.

Mrs. Wastcoat of Candia, for the Joint Committee on Municipal and County Government and Executive Departments and Administration, to whom was referred House Bill No. 32, An act relating to authority and duties of police employees, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The undersigned, a minority of the Joint Committees of Municipal and County Government and Executive Departments and Administration, to whom was referred House Bill No. 32, An act relating to authority and duties of police employees, and being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

FRED GREEN,
N. A. McMEEKIN,
PHILIP S. WILLEY,
R. WAYNE CROSBY,
NELLE L. HOLMES,
IDA M. HORNER,
CHESTER W. FRENCH,
CHARLES GRIFFIN,
AUSTIN H. REED,
J. M. ASHLEY,
E. HAROLD YOUNG,
A Minority of the Committee.

The reports were accepted.

Mr. Crosby of Hillsborough moved that the report of the minority, ought to pass, be substituted for the report of the majority, inexpedient to legislate.

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Crosby of Hillsborough, Bass of Peterborough, Plumer of Bristol, Black of Bennington, Brown of Laconia, Charland of Franklin and Ferguson of Pittsfield and Mrs. Holmes of Amherst spoke in favor of the motion.

Messrs. Jones of Lebanon, Payeur of Pembroke, Clarke of Canaan, Lea of Pembroke, Maxwell of Henniker, Perkins of Concord and Rowell of Concord spoke against the motion.

Mr. Turner of Keene moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute the report of the minority, ought to pass, for the report of the majority, inexpedient to legislate.

Mr. Willey of Campton demanded the yeas and nays and the roll was called with the following result:

Yeas, 121

GRAFTON COUNTY: Gingras, Chamberlin of Bath, Plumer, Willey, Avery, Lorden, Fuller, Chamberlin of Haverhill, McMeekin, Sleeper, Crafts, Ashley of Lebanon, Griffin of Lincoln, Collins of Lisbon, Pushee, Huckins, Barney, Horner, Woodward, Gilbert, Sawyer of Woodstock.

COOS COUNTY: Evans.

ROCKINGHAM COUNTY: Griffin of Auburn, Hazelton, Gay, Fecteau, Eldredge, Rathbone of Exeter, LeComte, Bonney, Eastman, Hall of Londonderry, Pinkham, McDaniel, Dondero, Durell, Foote, Leary, Smart, Ingraham of Portsmouth, Peever, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Chase of Dover, Felker, Locke of Dover, Henderson of Durham, Blanchard, Parker, Maxfield, Fernald, Green of Rollinsford, Brown of Strafford.

BELKNAP COUNTY: Hart of Laconia, Simoneau, Tilton of Laconia, Ward 3, Brown of Laconia, Atwood, Metcalf.

CARROLL COUNTY: Hill, Remick, Hodgdon, Sanborn.

MERRIMACK COUNTY: Putney, Ellsworth, Dodge, Ferrin, Tebbetts, Blodgett of Concord, Ward 4, Kennedy of Concord, Corbett, O'Neil of Concord, Tilton of Concord, Freeman of Concord, Towle, Burke, Charland, DuDevoir, Smith of Loudon, Milligan, Lamson, Ferguson, Young, Chandler.

HILLSBOROUGH COUNTY: Holmes, Wilson, French of Bedford, Black, Hambleton, Reed, English, Crosby, Goodwin, Abbott, Kennedy of Manchester, Danforth, Pillsbury, Getz, Wadleigh, Underhill, Record, Locke of New Boston, Ashley of New Ipswich, Mailloux, Bass, Cummings of Peterborough, French of Weare.

CHESHIRE COUNTY: Dort, Jackson, Rathbun of Harrisville, Perry of Jaffrey, Sherwin.

SULLIVAN COUNTY: Frizzell, Brooks, Bissonnett, Millar of Claremont, Carter of Cornish, Perry of Newport, Gamsby, Callum.

Nays, 249

GRAFTON COUNTY: Harrington, Clarke of Canaan, Grass, Williams, Atkins, Holden of Hanover, Adams, Cole, Jones, Randall, Hamilton, Gardner, Kelley, Martin of Littleton, Burrill, Skinner, Howard, Bell, Anderson.

COOS COUNTY: Dussault, Hinchey, Shields, Desilets, Henderson of Berlin, Sheridan, Brungot, Morel, Sullivan of Berlin, Bouchard, Fontaine, LaForce, Roy of Berlin, Rines, Cummings of Colebrook, Gould, Oakes, Emerson, Fraser, Malloy, Kimball, Simonds, Means, Christopher, Ellingwood, Hilliard, Placy, Stinson, Taylor.

ROCKINGHAM COUNTY: Tuttle, Libby, Wastcoat, Darbe, Lindahl, Clark of Derry, Cushing, Hepworth, Freeman of East Kingston, Kendall, Putnam, Merrill, Ring, Thurlow, McNeil, McCaffery, Sheehy, Holden of Newington, Sewall, Wells, Carter of North Hampton, Davis of Portsmouth, Sukeforth, Yeaton, Dame, Bluitte, Philbrick, Haigh, Durkee.

STRAFFORD COUNTY: Marcotte of Dover, Shaheen, Carroll, Crandall, Flanagan, Horne, Smith of New Durham, Rolfe, Winters, LaCasse, St. Pierre, Studley, Leach, Lagueux, Letourneau, Coffin, Carter of Somersworth, Malley.

BELKNAP COUNTY: Perkins of Alton, McAllister, Boutin, Osborne, Normandin, Keller, Tilton of Laconia, Ward 4, O'Shan, Thompson of Laconia, Ransom, Smith of Meredith, Matthews.

CARROLL COUNTY: Washburn, Benson, Downs, Morey, Nickerson, Lamprey, Moulton, Knox, Hart of Wolfeboro, McHugh.

MERRIMACK COUNTY: Baron of Allenstown, Nicoll, Moore, Vogel, Marden, Loiselle, Hurd, Perkins of Concord, Saltmarsh, Brunel, Bunten, Greene of Concord, Blodgett of Concord, Ward 8, Sawyer of Concord, Sargent, Hadley, Chase

of Franklin, Ayotte, Maxwell, Mason, Beale, Davis of Hopkinton, Wilman, Lea, Payeur, Powell, Sawyer of Wilmot.

HILLSBOROUGH COUNTY: Farwell, Poore, Doonan, Sterling, Spaulding of Hudson, Cummings of Lyndeborough, Corliss, Pettigrew, Geisel, Connor, Dwyer, Martel, Sweeney, Fitzgerald, Kean, Betley, Ellis, Healy of Manchester, Ward 5, Kazakis, Proulx, Shea of Manchester, Casey, Cavanaugh, Clancy, Ecker, Healy of Manchester, Ward 6, Zyla, Downey, Gorham, Marcoux, Sullivan of Manchester, Constant, Delisle, Roy of Manchester, Cary, Gagnon, Auger, Kearns, Roche, Roukey, Lareau, Soucy, Vaillancourt, Daniel, Gauthier, Thibodeau, Cannon, Donnelly, Wedick, Peaslee, Falconer, Nelson, Cooper, Ramsdell, Boire, Belcourt, Maynard of Nashua, Ward 3, Brosnahan, Cote, Marquis, Maynard of Nashua, Ward 5, Boisvert, Shea of Nashua, Chartrain, Dupont, Cormier, Grandmaison, Janelle, Pelletier of Nashua, Ward 8, Bouthillier, Pelletier of Nashua, Ward 9, Barry, Hines.

CHESHIRE COUNTY: Burnham, Miller of Fitzwilliam, Maloney, Walker, Spofford, Collins of Keene, Kirk, O'Neil of Keene, Landers, Wheeler, Bennett, Erwin, Codding, Turner, Walsh, Hall of Marlborough, Kershaw, Worcester, Lang, Billings, Ingham of Winchester, Thompson of Winchester.

SULLIVAN COUNTY: Angus, Converse, Nahil, Baron of Claremont, Carton, Marcotte of Claremont, Rowell, Vaughan, Pierce.

Pairs: Mr. Pickett of Keene voting Yes; paired with Mr. Stackpole of Dover voting No.

And the motion to substitute did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Reconsideration

Mr. Angus of Claremont moved that the House reconsider the vote whereby it voted as inexpedient to legislate House Bill No. 32.

On a *viva voce* vote the motion to reconsider did not prevail.

On motion of Mr. Wadleigh of Milford business in order at 3:00 o'clock was made in order at the present time and the third reading of bills be read by their titles only.

Third Readings

House Bill No. 36, An act relative to the Charter of The Trustees of the Protestant Episcopal Church in New Hampshire.

House Bill No. 57, An act relative to affidavits by absentee voters.

House Bill No. 69, An act authorizing the Hopkinton School District in the town of Hopkinton to borrow money and to issue serial notes or bonds.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Sukeforth of Portsmouth at 2:50 o'clock the House adjourned.

WEDNESDAY, FEBRUARY 7, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

Almighty and everlasting God, Who hast brought us to the beginning of another Lenten Season, help us to obtain from this period of deepened religious thought and activity, a more intimate relationship to Thee, a better understanding of ourselves and a deepened sense of duty and obligation in our relation to others. We would ask, O God, that the whole world might catch the spirit of this season, and that national and international mistrusts and even hatreds might be done away, and the Spirit of the Prince of Peace reign supreme. Amen.

Joint Convention

Pursuant to a concurrent resolution, adopted by both branches, The Right Honorable Sir Oliver Shewell Franks, K. C. B., C. B. E., Ambassador Extraordinary and Plenipotentiary from Great Britain, addressed the joint convention.

On motion of Senator Read of District No. 8, the convention rose.

House

Leaves of Absence

Mr. Parker of Farmington was granted leave of absence for the week on account of illness.

Mr. Martel of Manchester was granted leave of absence for the day on account of important business.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Mrs. Jackson of Dublin and Mr. English of Hancock, House Bill No. 315, An act relating to equality of educational opportunity. To the Committee on Education.

By Mr. Gagnon of Manchester, House Bill No. 316, An act providing a tax on games of beano. To the Committee on Judiciary.

By Rules Committee, House Bill No. 317, An act relating to certain fees in connection with the sale of securities. To the Committee on Insurance.

Committee Reports

Mr. Evans of Lancaster, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 1, Joint resolution relative to administration of interest and dividends tax, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted, and the joint resolution ordered to a third reading.

Mr. Scamman of Stratham, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 26, Joint resolution in favor of Winthrop N. Bassett of Yarmouth, Massachusetts, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Scamman of Stratham, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 27, Joint resolution in favor of Clifford H. Bassett of Hyannis, Massachusetts, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Wells of Newton, for the Committee on Judiciary, to whom was referred House Bill No. 38, An act relating to the homestead right, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Judiciary, to whom was referred House Bill No. 38, An act relating to the homestead right, and being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

DANIEL J. HEALY,
FRED A. JONES,
A Minority of the Committee

The reports were accepted.

Mr. Geisel of Manchester moved that the report of the minority, ought to pass, be substituted for the report of the majority, inexpedient to legislate, and with that motion pending, the bill be made a special order for Wednesday, February 14, at 11:01 o'clock.

The question being on the motion.

(Discussion ensued)

Mr. Geisel of Manchester spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 49, An act relating to the appropriation for timber tax reimbursement fund.

Resolution

Mr. Foote of Portsmouth offered the following resolution:

Whereas, today, February 7, 1951, is the 82nd birthday of John H. Yeaton, Representative from Portsmouth for eleven sessions, therefore be it

Resolved, That we, the members of the House of Representatives, hereby extend to our fellow member our best wishes for a happy birthday for today and many years to come, and be it further

Resolved, That the Clerk forward to Mr. Yeaton a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

Mr. Sanborn of Wakefield moved that when the House adjourn today it adjourn in honor of Mr. Yeaton's birthday.

On a *viva voce* vote the motion prevailed.

Personal Privilege

Mr. Getz of Manchester rose to a point of personal privilege and stated that he misunderstood the question yesterday, on the vote on substitution on House Bill No. 32, and requested he be recorded as voting No on the question.

On motion of Mr. Wadleigh of Milford, business in order at 3 o'clock was made in order at the present time, and the third reading of a joint resolution be read by its caption only.

Third Reading

House Joint Resolution No. 1, Joint resolution relative to administration of interest and dividends tax.

Read a third time and passed, and sent to the Senate for concurrence.

On motion of Mr. Bluitte of Raymond at 11:59 o'clock the House adjourned.

THURSDAY, FEBRUARY 8, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God, Who art interested in the welfare of all men everywhere, we beseech thee to bless and guide all, through whose labor we are clothed and fed; be with those who labor in the deep recesses of the earth, that we may have fuel for our homes; be with those who sail the seas and traverse the lands; remember those who at this moment are fighting to maintain freedom, in a far away land. Be Thou with the sick and afflicted; remember, in Thy kindness, the bereaved. We ask it in the name of Him who was the incarnation of Thy love and mercy, Jesus Christ. Amen.

Leaves of Absence

Messrs. Towle of Epsom and Sterling of Hillsborough were granted leave of absence for the day on account of important business.

Engrossed Bills Report

Mrs. Shields of Berlin, for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 9, An act legalizing the biennial election in the town of Winchester.

House Bill No. 26, An act legalizing the election of November, 1950, in the town of Warner.

House Bill No. 31, An act legalizing action taken at a special meeting in the town of Northfield relative to adoption of ballot system for election of town officers.

House Bill No. 55, An act granting school districts temporary emergency exemption from certain provisions of the municipal bonds statute.

The report was accepted.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Gamsby of Sunapee, House Bill No. 318, An act

relative to misrepresentation by minors for the purpose of purchase of liquor or beverages. To the Committee on Liquor Laws.

By Mr. McMeekin of Haverhill, House Bill No. 319, An act relative to oaths under absentee voting procedure. To the Committee on Judiciary.

By Mr. Rowell of Newport, House Bill No. 320, An act relative to fees for registration as legislative counsel. To the Committee on Executive Departments and Administration.

By Mr. Pillsbury of Manchester, House Bill No. 321, An act relative to the school committee of the city of Manchester. To the Delegation from the City of Manchester.

By Mr. Kelley of Littleton, House Bill No. 322, An act relative to operation of motor vehicles on highways marked with painted lines. To the Committee on Transportation.

By Mr. McMeekin of Haverhill, House Bill No. 323, An act relative to clerk hire in the office of registrar of probate in Grafton county. To the County of Grafton Delegation.

By Mr. Moore of Bradford, House Bill No. 324, An act naming the William E. Chandler highway. To the Committee on Public Works.

Committee Reports

Mr. Geisel of Manchester, for the Committee on Banks, to whom was referred House Bill No. 97, An act relating to trustees and directors of savings banks, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 *Bank Directors and Trustees.* Amend section 9 of chapter 308 of Revised Laws by inserting at the end thereof the following: or to the trustees of savings banks or to the directors of trust companies during periods of their active membership in the armed forces of the United States of America, so that said section as amended shall read as follows: 9. *Exceptions.* The provisions of section 8 shall not apply to directors of trust companies who reside more than five hundred miles from the place of meeting or to the trustees of savings banks or to the directors of trust companies

during periods of their active membership in the armed forces of the United States of America.

Mr. Geisel of Manchester spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Turner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 108, An act to incorporate The Invalids' Home, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Barney of Rumney, for the Committee on Public Welfare and State Institutions, to whom was referred House Bill No. 136, An act relative to support of permanently and totally disabled persons, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill referred to the Committee on Appropriations under the rules.

Mrs. Miller of Fitzwilliam, for the Committee on Transportation, to whom was referred House Bill No. 40, An act relating to the registration of pleasure-car type motor vehicles, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Rathbone of Exeter moved that the bill be recommitted to the Committee on Transportation.

The question being on the motion to recommit.

(Discussion ensued)

Mr. Rathbone of Exeter, spoke in favor of the motion.

On a *viva voce* vote the bill was recommitted to the Committee on Transportation.

Mr. Malley of Somersworth, for the Committee on Ways and Means, to whom was referred House Bill No. 37, An act relating to taxation of county farms, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 of said bill by striking out said section and inserting in place thereof the following:

1. *Property Taxes.* Amend section 7, chapter 73 of the Revised Laws, as amended by section 1 of chapter 50 of the Laws of 1945, by striking out the word "county" in the fifth line and by inserting after the word "purposes" in the same line the words, and almshouses on county farms, so that said section as amended shall read as follows: 7. *Real Estate.* Real estate, whether improved or unimproved, and whether owned by residents or others, is liable to be taxed, except houses of public worship, schoolhouses, seminaries of learning, real estate of the state, or town used for public purposes, and almshouses on county farms, and as otherwise provided.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Geisel of Manchester spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. McMeekin of Haverhill, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 65, An act relative to accidental death benefits under state employees' retirement system, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. McMeekin of Haverhill, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 75, An act relative to registration of outboard motors, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. McMeekin of Haverhill offered the following amendment:

Amend section 1 of the bill by striking out in the third and fourth lines (of the printed bill) the words "no fee shall be collected for the registration" and inserting in place thereof

the words, "no registration shall be required", so that said section as amended shall read as follows:

1. *Outboard Motors.* Amend chapter 181 of the Revised Laws by inserting after section 5 the following new section: 5-a. *Exception.* No registration shall be required of an outboard motor which is used exclusively on waters wherein the public service commission has not placed buoys, beacons, floating guides or other lights for the purpose of guiding and protecting navigation and has not improved said waters in the supervision of navigation.

The question being on the amendment.

(Discussion ensued)

Mr. McMeekin of Haverhill spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Putney of Andover, for the Committee on Fish and Game, to whom was referred House Bill No. 41, An act increasing the bounty on bobcats, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Turner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 95, An act relative to Harvey Lake Cemetery Association, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out section 2 and inserting in place thereof the following: 2. *Distribution of Funds.* Any funds remaining to the credit of Harvey Lake Cemetery Association, including trust funds, shall be forthwith turned over by the person having control thereof to the town of Northwood. Said town of Northwood shall hold said funds in trust for the benefit of said Harvey Lake Cemetery and use the income from said funds only for care of said cemetery either for specific lots as said funds are presently held or for general care of the lots in said cemetery.

Further amend said bill by striking out section 3 and in-

serting in place thereof the following: 3. *Takes Effect.* This act shall take effect January 1, 1952.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Turner of Keene spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 9, An act legalizing the biennial election in the town of Winchester.

House Bill No. 26, An act legalizing the election of November, 1950, in the town of Warner.

House Bill No. 31, An act legalizing action taken at a special town meeting in the town of Northfield, relative to adoption of ballot system for the election of town officers.

House Bill No. 55, An act granting school districts temporary emergency exemption from certain provisions of the municipal bonds statute.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 16, An act relating to the powers, duties and membership of the board of medical examiners.

Senate Bill No. 17, An act relating to the deputy state health officer.

Senate Bill No. 20, An act relating to beaver.

Senate Bills Read and Referred

Senate Bill No. 16, An act relating to the powers, duties and membership of the board of medical examiners.

Senate Bill No. 17, An act relating to the deputy state health officer.

Severally read a first and second time, and referred to the Committee on Public Health.

Senate Bill No. 20, An act relating to beaver.

Read a first and second time, and referred to the Committee on Fish and Game.

On motion of Mr. Wadleigh of Milford, business in order at 3:00 o'clock, was made in order at the present time, and the third reading of bills be made in order, by their titles, at the present time, and when the House adjourn today it adjourns to meet Tuesday morning at 11:00 o'clock.

Third Readings

House Bill No. 37, An act relating to taxation of county farms.

Read a third time and passed, and sent to the Senate for concurrence.

Reconsideration

Mr. Bass of Peterborough moved that the House reconsider the vote whereby it passed House Bill No. 37.

On a *viva voce* vote the motion to reconsider did not prevail.

House Bill No. 75, An act relative to registration of outboard motors.

House Bill No. 95, An act relative to Harvey Lake Cemetery Association.

House Bill No. 97, An act relating to trustees and directors of savings banks.

House Bill No. 108, An act to incorporate the invalids' home.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of Mr. Kimball of Jefferson at 11:55 o'clock the House adjourned.

TUESDAY, FEBRUARY 13, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O Thou God of right and power, help us in these days when we need a greater sense of right to more fully appreciate the words of the great American, Abraham Lincoln, who said: "Let us have faith that right makes might; and in that faith let us to the end dare to do our duty as we understand it." Give us such faith in the power of the right as Thou hast taught us the right, and our forefathers have practiced it in the building of this great nation, that we may victoriously meet the duties set before us; through Jesus Christ our Lord. Amen.

Leaves of Absence

Mr. Loiselle of Concord was granted leave of absence for the day on account of important business.

Mr. Kershaw of Swanzey was granted leave of absence for the day on account of attending a funeral.

Mr. Charland of Franklin was granted leave of absence for the day on account of death in the family.

Mr. Chase of Dover was granted leave of absence for the week on account of important business.

Messrs. Morel of Berlin, Evans of Lancaster, Moffett of Berlin, Griffin of Lincoln, Parker of Farmington and Roy of Manchester and Mrs. Weeks of Gilford were granted leave of absence for the week on account of illness.

Introduction of Bills and Joint Resolution

The following entitled bills and joint resolution were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Rules Committee, House Bill No. 325, An act approving the act of the governor in signing the Interstate Compact for Civil Defense. To the Committee on Military and Veterans' Affairs.

By Rules Committee, House Bill No. 326, An act relative to the membership of the ballot-law commission. To the Committee on Judiciary.

By Rules Committee, House Bill No. 327, An act relating to certain fees in the Insurance Department. To the Committee on Insurance.

By Rules Committee, House Bill No. 328, An act relating to the annual report of the Insurance Commissioner. To the Committee on Insurance.

By Rules Committee, House Bill No. 329, An act naming the Hampton River toll bridge. To the Committee on Public Works.

By Mr. McMeekin of Haverhill, House Bill No. 330, An act relating to veterans' preference in public employment. To the Committee on Executive Departments and Administration.

By Mr. Jones of Lebanon, House Bill No. 331, An act relative to operation of motor vehicles in a careless or negligent manner. To the Committee on Judiciary.

By Mrs. Brungot of Berlin, House Bill No. 332, An act opening Lake Francis in Pittsburg and Clarksville to ice fishing. To the Committee on Fish and Game.

By Mr. Brown of Laconia, House Bill No. 333, An act relating to the registration fee for private non-commercial landing areas. To the Committee on Aviation.

By Mr. Desilets of Berlin, House Bill No. 334, An act authorizing the establishment of substation for motor vehicle registration and operator's licenses in Coos county. To the Committee on Transportation.

By Mr. Foote of Portsmouth, House Bill No. 335, An act relative to licensing of hawkers and peddlers. To the Committee on Judiciary.

By Mr. Kennedy of Manchester, Ward 1, House Bill No. 336, An act to increase the salary of the clerk of the municipal court of Manchester. To the Delegation from the City of Manchester.

By Mrs. Goodwin of Hollis and Mrs. Holmes of Amherst, House Bill No. 337, An act to enable the school districts of Amherst, Brookline, Hollis and New Boston to establish a cooperative secondary school district. To the Committee on Education.

By Rules Committee, House Bill No. 338, An act relative to the definition of "most recent employer", determination of claims, chargeability of employers for benefits paid, and merit

ratings of employers under the unemployment compensation law. To the Committee on Labor.

By Rules Committee, House Bill No. 339, An act relative to the duties of the director of the division of employment security. To the Committee on Labor.

By Rules Committee, House Bill No. 340, An act relative to unemployment compensation. To the Committee on Labor.

By Mr. Tobey of Concord, House Bill No. 341, An act relative to trusts created in writing. To the Committee on Judiciary.

By Rules Committee, House Bill No. 342, An act to provide for the coverage of certain officers and employees of the state and local governments under the old-age and survivors insurance provisions of title II of the Federal Social Security Act, as amended. To the Committee on Executive Departments and Administration.

By Rules Committee, House Bill No. 343, An act legalizing the action of the Meredith School District in adopting the nonpartisan ballot system. To the Committee on Judiciary.

By Rules Committee, House Bill No. 344, An act relating to motor vehicles carrying passengers and property for hire. To the Committee on Judiciary.

By Rules Committee, House Bill No. 345, An act amending the laws affecting the public service commission and persons and companies subject to its jurisdiction. To the Committee on Judiciary.

By Rules Committee, House Joint Resolution No. 33, Joint Resolution relative to purchase of New Hampshire Digest. To the Committee on Appropriations.

Printing Dispensed With

Mr. Turner of Keene moved that the rules be suspended and the printing of House Bill No. 329 be dispensed with.

The question being on the motion.

(Discussion ensued)

Mr. Turner of Keene spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mr. Turner of Keene moved that the rules be suspended and the printing of House Bill No. 343 be dispensed with.

The question being on the motion.

(Discussion ensued)

Mr. Turner of Keene spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Committee Reports

Mr. Carter of Cornish, for the Committee on Education, to whom was referred House Bill No. 181, An act relative to Hillsborough school district and bonds therefor, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 4 of said bill by striking out the same and inserting in place thereof the following:

4. *Debt Limit for District.* The Hillsborough school district may not vote to issue bonds or notes in an amount in excess of eight per cent of the latest assessed valuation subject to taxation. The debt limitation provided for in this section shall include the debt authorized by section 2 of this act and the debt authorized by action of said school district in 1950 in accordance with the provisions of chapter 55 of the Laws of 1949.

Amend section 5 by striking out the word "thirty" and inserting the word, twenty, so that said section as amended shall read as follows:

5. *Extension of Bond Term.* The term of any bonds or notes issued under the provisions of section 2 hereof may be extended to a period of not more than twenty years.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Gardner of Littleton, for the Committee on Municipal and County Government, to whom was referred House Bill No. 300, An act validating certain town meetings held in the town of Newport, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Hart of Laconia, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 295, An act relative to forest conservation and taxation, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Resolutions

Mr. Kimball of Jefferson offered the following resolution:

Whereas, we have learned with regret of the illness of our fellow member, Colonel John B. Evans of Lancaster, therefore be it

Resolved, That the members of this House of Representatives wish to express their sincere sympathy and their best wishes for his speedy return to health and to the General Court, and be it further

Resolved, That a copy of these resolutions be mailed by the Clerk to Colonel Evans.

On a *viva voce* vote the resolution was adopted.

Mr. Marden of Chichester offered the following resolution:

Whereas, we have learned with regret of the illness of Forrest Kenney, former Representative from Loudon, be it therefore

Resolved, That we, the members of this House of Representatives extend our sympathy to our former member and our best wishes for his speedy recovery, and be it further

Resolved, That the Clerk be instructed to send a copy of these resolutions to Mr. Kenney.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford, business in order at 3 o'clock was made in order at the present time, and the third reading of bills be read by their titles only.

Third Readings

House Bill No. 181, An act relative to Hillsborough school district and bonds therefor.

House Bill No. 295, An act relative to forest conservation and taxation.

Severally read a third time and passed, and sent to the Senate for concurrence.

Reconsideration

Mr. Bass of Peterborough moved that the House reconsider the vote whereby it passed House Bill No. 295.

On a *viva voce* vote the motion to reconsider did not prevail.

House Bill No. 300, An act validating certain town meetings held in the town of Newport.

Read a third time and passed, and sent to the Senate for concurrence.

On motion of Mr. Danforth of Manchester at 12:05 o'clock the House adjourned.

WEDNESDAY, FEBRUARY 14, 1951

The House met according to adjournment.

Prayer was offered by Rev. Nelson Canfield, First Methodist Church, Rochester, N. H.

O Lord our God, grant us the sense to realize that we are one people. Give us grace fearlessly to contend against evil, and to make no peace with oppression; and, that we may reverently use our freedom, help us to employ it in the maintenance of justice among men and nations, to the glory of thy holy name; through Jesus Christ our Lord. Amen.

Introduced to House

Little Marguerites of the St. Peter's Orphanage of Manchester entertained with the song "God Bless America," accompanied at the piano-organ by Representative Lorenzo P. Gauthier of Manchester.

Leave of Absence

Mr. Sawyer of Concord was granted leave of absence for the day on account of important business.

Introduction of Bills

By Mr. Brown of Laconia, House Bill No. 346, An act relating to the general exemption from property taxes of certain privately owned airports. To the Committee on Aviation.

By Mr. Pillsbury of Manchester, House Bill No. 347, An act relative to additional benefits under the policemen's retirement system. To the Committee on Executive Departments and Administration.

By Mr. Martel of Manchester, House Bill No. 348, An act relating to the licensing of plumbers. To the Committee on Public Health.

By Mr. Nelson of Milford, House Bill No. 349, An act authorizing the formation of associations to conduct the business of reciprocal insurance exchanges and for the licensing of the same. To the Committee on Insurance.

By Rules Committee, House Bill No. 350, An act relative to the definition of total unemployment, the weekly benefit amount for total unemployment and maximum total amount of benefits payable during a benefit year, and also relative to benefit eligibility conditions, under the unemployment compensation law. To the Committee on Labor.

Committee Reports

Mr. McMeekin of Haverhill, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 303, An act changing the name of the Charles F. and Mary E. Folsom home of Exeter, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. McMeekin of Haverhill, for the Committee on Executive Departments and Administration, to whom was referred House Joint Resolution No. 21, Joint resolution relative to revision of poll and property tax laws, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass:

Amend the second paragraph of the joint resolution by striking out the whole of said paragraph and inserting in place thereof the following:

That such committee shall consist of one member of the present House of Representatives who shall not be a tax

collector nor an assessor, one member of the honorable senate who shall not be a tax collector nor an assessor, one assessor or selectmen from the Association of New Hampshire Assessors, one tax collector from the New Hampshire Tax Collectors' Association and the three members of the state tax commission who shall act as a unit with one vote, and said committee shall be instructed to make a report to the present legislature before the final adjournment thereof.

The report was accepted, the amendment adopted, and the joint resolution ordered to a third reading.

Mr. Metcalf of Tilton, for the Committee on Fish and Game, to whom was referred Senate Bill No. 20, An act relating to beaver, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mrs. Cooper of Nashua, for the Committee on Judiciary, to whom was referred House Bill No. 102, An act relative to removal of justice or special justice of a municipal court in certain cases, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee, inexpedient to legislate.

(Discussion ensued)

Mr. Angus of Claremont spoke in favor of the resolution.

On a *viva voce* vote the resolution of the committee was adopted.

Mrs. Cooper of Nashua, for the Committee on Judiciary, to whom was referred House Bill No. 125, An act prohibiting public utilities from engaging in the sale of appliances, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Pickett of Keene moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Mr. Pickett of Keene spoke in favor of the motion.

On a *viva voce* vote the bill was indefinitely postponed.

Mrs. Sukeforth of Portsmouth, for the Committee on Public Health, to whom was referred House Bill No. 81, An act relative to the licensing of practical nurses, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Special Order

Mr. Geisel of Manchester called for the special order.

It being, House Bill No. 38, An act relating to the homestead right.

The question being on the motion to substitute the report of the minority, ought to pass, for the report of the majority, inexpedient to legislate.

(Discussion ensued)

Messrs. Geisel of Manchester, Kennedy of Manchester, Reed of Goffstown, Healy of Manchester, Ward 6, Jones of Lebanon, Pickett of Keene and Pillsbury of Manchester, and Mrs. Richards of Exeter and Mrs. Dondero of Portsmouth, spoke in favor of the motion.

Mr. Wells of Newton and Mr. Perkins of Concord, spoke against the motion.

Mr. Hart of Laconia moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute the report of the minority, ought to pass, for the report of the majority, inexpedient to legislate.

On a *viva voce* vote the motion to substitute prevailed.

Mr. Turner of Keene called for a division.

A division being had, 221 members having voted in the affirmative, and 128 members having voted in the negative, the motion to substitute the report of the minority, ought to pass,

for the report of the majority, inexpedient to legislate, prevailed.

Mr. Geisel of Manchester offered the following amendment:

Amend section 1 of said bill by striking out all of said section after the words "as a homestead right," so that said section as amended shall read as follows:

1. *Homestead Rights.* Amend section 1, chapter 260, Revised Laws, as amended by chapter 72, Laws of 1947, by striking out said section and inserting in place thereof the following: 1. *Amount.* Every person is entitled to five thousand dollars' worth of his homestead, or of his interest therein, as a homestead right.

The question being on the amendment.

(Discussion ensued)

Mr. Geisel of Manchester spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Pickett of Keene moved that the rules be suspended, and House Bill No. 38, be put upon its third reading and final passage, by title, at the present time.

On a *viva voce* vote the motion prevailed.

The bill was read a third time and passed, and sent to the Senate for concurrence.

Reconsideration

Mr. Angus of Claremont moved that the House reconsider the vote whereby it passed House Bill No. 38.

On a *viva voce* vote the motion to reconsider did not prevail.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 1, An act defining the application of certain statutes relative to liens for labor and materials.

House Bill No. 11, An act relating to election of budget committee members-at-large.

House Bill No. 16, An act relative to the charter of Mount Prospect Lodge No. 69.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 21, An act relative to approval of bonds of trustees of trust funds.

The message also announced that the Senate has passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 15, An act relating to quarantine or isolation of a person with a communicable disease in a suitable state institution.

Senate Bill No. 26, An act relative to salaries of the Mayor and councilmen of the City of Berlin.

Senate Bills Read and Referred

Senate Bill No. 15, An act relating to quarantine or isolation of a person with a communicable disease in a suitable state institution.

Read a first and second time, and referred to the Committee on Public Health.

Senate Bill No. 26, An act relative to salaries of the Mayor and councilmen of the City of Berlin.

Read a first and second time, and referred to a special committee consisting of the delegation from the city of Berlin.

Resolutions

Mrs. Fontaine of Berlin offered the following resolution:

Whereas, we have learned of the illness of Lawrence Morel, Representative from Berlin, therefore be it

Resolved, That we, the members of the House of Representatives, hereby extend to our fellow member our sympathy in his illness and our best wishes for a speedy recovery to health, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Representative Morel.

On a *viva voce* vote the resolution was adopted.

Mr. Belcourt of Nashua offered the following resolution:

Whereas, we have learned that today is the 54th wedding anniversary of our fellow member, Alfred P. Grandmaison of Ward 8, Nashua, therefore be it

Resolved, That the members of the House of Representatives wish to offer their congratulations to Mr. Grandmaison and his wife upon this grand occasion with the hope that they may enjoy many more anniversaries, and be it further

Resolved, That the Clerk be instructed to send a copy of these resolutions to Mr. and Mrs. Grandmaison, and that when the House adjourns today it adjourn in honor of this fortunate couple.

On a *viva voce* vote the resolution was adopted.

Mr. Tuttle of Atkinson offered the following resolution:

Whereas, we have learned with regret of the serious illness of our former fellow member, Thomas C. Duffey of Atkinson, therefore be it

Resolved, That we, the members of the House of Representatives extend our sympathy for his illness and our best wishes for his speedy recovery, and be it further

Resolved, That the Clerk be instructed to transmit a copy of these resolutions to Mr. Duffey.

On a *viva voce* vote the resolution was adopted.

Mr. Pillsbury of Manchester offered the following resolution:

Whereas, Mr. Geisel has become known as the William Jennings Bryan of the Republican party,

And Whereas, He stands as the silver-tongued, silver-haired representative of the banks, the bonded warehouses, and the common man,

And Whereas, He has reached his 80th birthday, and still holds reputation as the boy orator of the Merrimack,

Now, Therefore Be it Resolved, That the House extend to Joseph Geisel its congratulations and wishes him well for many more years of service to state and nation.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford, business in order at 3:00 o'clock was made in order at the present time and the

third reading of bills be read by their titles, and joint resolutions, by their captions only.

Third Readings

House Bill No. 81, An act relative to the licensing of practical nurses.

Read a third time and passed and sent to the Senate for concurrence.

Reconsideration

Mr. Pickett of Keene moved that the House reconsider the vote whereby it passed House Bill No. 81.

On a *viva voce* vote the motion to reconsider did not prevail.

House Bill No. 303, An act changing the name of the Charles F. and Mary E. Folsom home of Exeter.

House Joint Resolution No. 21, Joint resolution relative to revision of poll and property tax laws.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 20, An act relating to beaver.

Read a third time and passed and sent to the Secretary of State to be engrossed.

Reconsideration

Mr. Washburn of Bartlett moved that the House reconsider the vote whereby it passed Senate Bill No. 20.

On a *viva voce* vote the motion to reconsider did not prevail.

On motion of Mr. Geisel of Manchester at 12:55 o'clock the House adjourned.

THURSDAY, FEBRUARY 15, 1951

The House met according to adjournment.

Joint Convention

Prayer was offered by the Chaplain.

Almighty God, Who didst offer Thine only Son to be made perfect through suffering, and to win our salvation by enduring the cross: sustain with Thy healing power all those whose loved ones have given their lives in the service of our country. Redeem, we pray Thee, the pain of their bereavement, that knowing their loss to be the price of our freedom, they may remember the gratitude of the nation for which they gave so costly a sacrifice. And grant, O Lord, that we may highly resolve that these dead shall not have died in vain, and that out of the agony of the present hour, there may arise a new and better world in which Thy will shall rule, to the honor of Thy Son, Jesus Christ. Amen.

Budget Address of Governor

His Excellency, The Governor, appeared and delivered the following address:

The Governor has the traditional responsibility of reporting to the Legislature upon the fiscal condition of the State. The budget was last balanced by you in June, 1949. Since that time we have added substantially to our expenditures without corresponding increases in revenue. The rate of added expenditure is now approaching $3,000,000 a year. To illustrate, we are paying $1,100,000 more in increased wages and about $175,000 in added contributions to various retirement funds. More severe is the upswing in costs of food and commodities, ranging from five to ten per cent or more, which has occurred in the last two years. In the recommendations which are presented to you today the operating deficit is being held to an amount necessitated entirely by these increases. This has been done only by the practice of strictest economy.

In addition, we are making real progress in reaching our goal of $500,000 in savings as a result of the reorganization of State services. Toward this goal we can now show that we have traveled a third of the way.

The budget comes to you a month later than it did two years ago. In this month a thorough and searching examination of the needs of the departments was made possible. In the preparation of the budget we have attempted to eliminate all expenses except those necessary to maintain standards of quality and service consistent with the ideals we all share.

Admittedly the amount necessary to spend to achieve this result is to some extent a matter of judgment. What services the State shall furnish is not my decision but yours, and the amount of money necessary to support them is likewise not my decision, but ultimately yours. It is my responsibility to consider conscientiously what the financial requirements should be and to recommend, in these times certainly, the expenditure of only so much money as is necessary to enable competent people to do the things you have provided by law, without waste or extravagance, and without cutting standards or quality.

As will be pointed out presently, our net deficit on the basis of requests of the departments for the biennium, is $10,000,000. This would have to be provided solely from the State funds. Through adjustments in the budget this has been reduced to $6,000,000.

Before recommending the ways and means to raise such money as we shall require, you should consider the budget and arrive at some decision as to whether it should be adopted or amended. The advice of the House Appropriations and Senate Finance Committees will be of very considerable assistance in solving the problem of revenue.

Some of the adjustments in the recommendations I have made are sharp. Believing that economy should begin at home, the budget in the Executive Department has been substantially reduced, as well as in practically all administrative departments whose services are of considerable public importance.

Due consideration has been given to those agencies and institutions serving the health and welfare of our people, but we have requested all of these agencies without exception to curtail wherever possible.

In order that you may be able to review the figures for the next biennium you have in your hands this morning two statements. The first is entitled "Departmental Budgets with Estimated Expenditures for the Biennium."

In the first column, line 1, you will notice that the departments requested appropriations of approximately $39,000,000 for the first year of the biennium. This is the total of State, Local, and Federal funds sought for all expenditures, except only cash required for goods purchased for resale, such as liquor and other commodities which are resold over the counter. In line 2 is shown all the restricted revenues. These funds may be used only for specific purposes, such as Highway and Fish and Game funds. All our Federal funds approximating $6,000,000 annually are also restricted to certain purposes and are included in this total. In addition there are about $1,000,000 of local funds used largely for the local share in old age relief cases.

After the deduction of restricted revenue, the gross cash requirements which must come from the General Fund are shown in line 3. These amount to a little over $16,000,000. In line 4 is the total of all other revenues. As explained in the footnote, there is included in this item the unappropriated surplus remaining from previous years; one-half of the estimated sinking fund balance on next June 30th; one-half of the surplus sinking fund revenues from the tax on racing, the profit on the sale of alcoholic beverages, and certain other taxes; together with all of the unrestricted income from tobacco, legacy, insurance, and other taxes. However, of this income there is set aside in each year of the biennium $250,000 so that an unused surplus of $500,000 may remain as an emergency reserve.

Upon deducting this total of all other revenues, as shown in line 4, from our total cash requirements there is a net deficit for 1951-52, line 5, of $4,184,738.78.

The proposed expenditures and anticipated revenues, again on the basis of present sources and existing rates, for the year 1952-53 are shown in lines 6, 7, 8, and 9. You will notice that the deficit for this year, on the foregoing basis, is $5,815,657.01, and the total deficit for the biennium is approximately $10,000,000.

Now, if you will look at the second and third columns you will notice that for the first year of the biennium the total proposed expenditures have been reduced by nearly $2,000,000 as shown in line 1. However, this reduction will result in a decrease in the amount of expected revenues of $258,475.06, line 2. This is due to the fact that some of this reduction results in less available Federal and other funds which the State

will not be able to match. The net decrease in the requirements of Cash from the General Fund is therefore $1,724,910.25.

Now, in the second year of the biennium the proposed expenditures have been reduced by $2,830,305.21, line 6, resulting in a net deduction of $2,221,566.44, shown in line 8. In accordance with these recommendations, the net deficit for 1952-53, line 10, is therefore $3,594,090.57. The reason that this figure is substantially greater than for the previous year is due to the fact that the unappropriated surplus is entirely used in the first year. On this basis the total deficit for the biennium, line 11, is a little over $6,000,000. This is a total reduction from the requests of the several departments of nearly $4,000,000.

If you will refer to the second statement entitled "Condition of General Sinking Fund" you will find illustrated a full statement of the condition of this fund from June 30, 1951 until June 30, 1953. The transfers to the General Fund of $4,846,115.47 are in each year a part of lines 4 and 9 in the statement of expenditures we have just examined.

The foregoing will give you a reasonably clear view of our present and prospective financial situation for the next two years. Again, there is no attempt at this moment to suggest how the additional revenue needed to cover the above deficit may be obtained. Moreover, I should point out that no provision has been made in the budget as yet for adjustments in the wages of State employees nor in the salaries of the heads of the administrative departments. Furthermore, no provision has been made for the adjustment in the University of New Hampshire Fund to provide for applying the millage rate to the equalized valuation of the towns.

During the time that you are considering the needs of your government for financial support, the sources and rates of present revenue will continue to be very carefully examined. Sufficient funds to provide the amounts needed to balance the budget submitted herewith can be provided without a broad base tax. It is apparent, however, that special taxes and additional rates will have to be adopted to provide such necessary funds as may be required. It is not my purpose to recommend punitive nor confiscatory taxes. There are, however, rates prevailing in certain of our special taxes that are most favorable compared with those assessed in neighboring states. Without destroying our competitive advantage, many of these rates

can be amended to provide for increased revenue without undue burden upon the activities which are being taxed.

There are certain legal opinions concerning changes in our present methods of taxation which have been requested and which must be obtained. In attempting to discover more equitable means of levying taxes we find too often that we are victims of our own constitutional limitations. We cannot classify, graduate, and progress, but must maintain uniform rates. This effectively prevents fair and equitable treatment with regard to certain classes of present and prospective taxpayers. Nevertheless, it is my intention to suggest, after your consideration of the budget, such revenue proposals as may be required to furnish the necessary financial support of your government.

There is little need, perhaps, for me to say any more this morning. Remember that we have already had substantial increases in expenses over which we have had little control. In addition there have been other increases which we could not well avoid.

Notwithstanding the fact that something over $1,000,000 a year has been added to our payrolls, some further adjustment in the compensation of classified employees is nothing less than justice. Consideration should be given at least to the difference in bare living costs since the classification plan was adopted last year.

A complete readjustment in the salaries of department heads is obviously needed. The schedule of their salaries has not changed since the regular session of 1947.

You will recall that about $135,000 was added to the State's share of the Teachers' Retirement Fund. We still have a tremendous problem in supplying even the minimum of teachers needed in the primary grades. To commence to meet the competitive situation in teacher demand, we must provide some further assistance to many of our towns for the support of an adequate educational foundation program. On the basis of whatever formula you adopt, this support should be at least $600,000 in addition to the amount already being provided, and this amount has been included in the budget being submitted to you.

Keep in mind that we shall have no control over the rising prices of food, clothing, and all the essentials of living which are necessarily a part of the costs of maintaining the insti-

tutions for the sick and unfortunate. Such inflation in prices has an even greater effect upon the benefits paid to various classes of welfare recipients. There is nothing we can do about reducing most of these costs except to be as careful, economical, and prudent as is possible.

We must remember that the tremendous costs of defending our country have already resulted in great sacrifices made by those who have savings. These times have been a colossal blow to the thrifty. The taxes recommended by the Federal Government are already indicative of the fact that the states may have almost no fields of taxation left to them that are not slowly but surely being preempted by the Federal Government. We can only wish that our attempt at prudence here might be shared by those who seem to have little regard for the practice of economy in the Federal establishment. Such economy would have a marked and beneficial effect upon our efforts here to meet the expenses of our modest government. With conditions as they are, we can do no less than continue to do exactly what we have done for the past two years, spend only for the essential and be both careful and prudent.

You have demonstrated that such a course is not unfamiliar to you, and are justly entitled to the confidence the State has in you.

STATE OF NEW HAMPSHIRE
DIVISION OF BUDGET AND CONTROL

Departmental Budgets with Estimated Expenditures for the Biennium 1952-1953.
Expected Revenues are based on present sources and existing rates.

	1951 - 1952	As Proposed by the Departments	As Reduced by the Governor	Amount of the Reductions by the Governor
1	Total Proposed Expenditures	$39,093,480.33	$37,110,095.02	$1,983,385.31
2.	Deduct Expected Restricted Revenues (such as highways, fish and game, federal funds)	22,798,779.60	22,540,304.54	258,475.06
3.	Requirements of Cash from General Fund ...	$16,294,700.73	$14,569,790.48	$1,724,910.25
4.	Total all other Revenues*	12,109,961.95	12,109,961.95	.....
5.	Net Deficit	$4,184,738.78	$2,459,828.53	$1,724,910.25
	1952 - 1953			
6.	Total Proposed Expenditures	$38,940,804.04	$36,110,498.83	$2,830,305.21
7.	Deduct Expected Restricted Revenues	21,638,172.40	21,029,433.63	608,738.77
8.	Requirements of Cash from General Fund ...	$17,302,631.64	$15,081,065.20	$2,221,566.44
9.	Total all other Revenues*	11,486,974.63	11,486,974.63	.....
10.	Net Deficit	$5,815,657.01	$3,594,090.57	$2,221,566.44
11.	Total Deficit for Biennium	$10,000,395.79	$6,053,919.10	$3,946,476.69

* these consist of:

1) the unappropriated surplus, which is for the first year only.
2) one half of the estimated general sinking fund balance.
3) the full amount of the estimated unrestricted revenue, after payment of bonds and interest, and after providing for $250,000 in each year for an emergency reserve to be $500,000 at the end of the biennium.

CONDITION OF THE GENERAL SINKING FUND

Revenue figures are based on present sources and existing rates.

Estimated Sinking Fund Balance, June 30, 1951		$1,169,465.94
Expected Revenues from:		
Pari-Mutuels	$1,506,060.00	
Racing Breakage	73,000.00	
Liquor Profit	3,020,550.00	
Beer Tax	392,200.00	
Gas and Electric Utilities	198,325.00	
Estate Taxes	90,000.00	
U. N. H. Refund	191,165.00	5,471,300.00
Total Available		$6,640,765.94
Charges against Sinking Fund:		
Bond Retirements	$915,000.00	
Bond Interest	71,120.00	
Transfer to General Fund*	4,846,115.47	5,832,235.47
Balance in Sinking Fund, June 30, 1952		$808,530.47
Expected Revenues from:		
Pari-Mutuels	$1,505,980.00	
Racing Breakage	73,000.00	
Liquor Profit	3,020,550.00	
Beer Tax	392,200.00	
Gas and Electric Utilities	198,330.00	
Estate Taxes	90,000.00	
U. N. H. Refund	198,725.00	5,478,785.00
Total Available		$6,287,315.47
Charges against Sinking Fund:		
Bond Retirements	$885,000.00	
Bond Interest	56,200.00	
Transfers to General Fund*	4,846,115.47	5,787,315.47
Balance in Sinking Fund, June 30, 1953		$500,000.00

* This transfer, in equal amounts in each year, is for the purpose of paying state expenditures.

On motion of Senator Caron of District No. 17 the Convention rose.

House

Leaves of Absence

Messrs. Maxwell of Henniker, Hines of Windsor and Smith of Loudon were granted leaves of absence for the day on account of important business.

Engrossed Bills Report

Mrs. Corliss of Manchester, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills.

House Bill No. 1, An act defining the application of certain statutes relative to liens for labor and materials.

House Bill No. 11, An act relating to election of budget committee members-at-large.

House Bill No. 16, An act relative to the charter of Mount Prospect Lodge No. 69.

House Bill No. 80, An act relative to the charter of the Goffstown Fire Precinct.

The report was accepted.

Committee Reports

Mr. Cushing of Derry, for the Committee on Aviation, to whom was referred House Bill No. 107, An act relative to making appropriations for and on behalf of the New Hampshire Wing, Civil Air Patrol, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations, under the rules.

Mr. Geisel of Manchester, for the Committee on Banks, to whom was referred Senate Bill No. 4, An act changing the name of Keene Building and Loan Association of Keene to Keene Co-operative Bank, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Osborne of Gilmanton, for the Committee on Education, to whom was referred House Bill No. 13, An act relative to election of members of the school board of the school district of Lincoln, reported the same with the following amend-

ment, and the recommendation that the bill as amended ought to pass.

Amend the said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Legalization.* The votes and proceedings of the school district meeting of Lincoln held March 14, 1950 providing for the election of members of its school board by a non-partisan ballot are hereby legalized, ratified and confirmed, and the provisions of Sections 112 through 120 of chapter 34 of the Revised Laws insofar as they are appropriate shall apply to the election of said school board members.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Sawyer of Woodstock, for the Committee on Education, to whom was referred House Bill No. 138, An act relating to the University of New Hampshire, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mrs. Kendall of Exeter, for the Committee on Insurance, to whom was referred House Bill No. 146, An act relating to reinsurance, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Brown of Strafford, for the Joint Committee on Agriculture and Public Health, to whom was referred House Bill No. 66, An act relative to standards of identity for milk, butter, and cream, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the whole of paragraph VII and renumbering paragraphs VIII and IX to read VII and VIII.

Amend section 2 by striking out in the fifth line the words "whipping cream" so that said section as amended shall read as follows:

2. *Penalty.* Amend section 35 of chapter 194, Revised Laws, by striking out said section and inserting in place thereof the following: 35. *Penalty.* Whoever sells, offers for sale, or has in possession with intent to sell, any milk, skimmed milk, butter milk, butter or renovated butter, sweet cream butter, cream, heavy cream, and homogenized cream which fails to conform to the requirements of the three preceding sections, or otherwise violates any provisions of this subdivision, shall be fined not less than twenty-five dollars nor more than two hundred dollars, or imprisoned not more than sixty days, or both.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Ecker of Manchester, for the Committee on Public Welfare and State Institutions, to whom was referred House Bill No. 64, An act relative to supplies for discharged prisoners, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Engrossed Bill Report

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 20, An act relating to beaver, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Beaver.* Amend section 6 of chapter 244 of the Revised Laws, as amended by chapter 64, Laws of 1943, chapter 46, Laws of 1945 and chapter 218, Laws of 1949, by striking out said section and inserting in place thereof the following: 6. *Open Season.* In any county, or part thereof, during the period from January first to March thirty-first, the director, with the approval of the commission, may declare an open season on beaver, by the use of traps only, if he deems that beaver are detrimental to fishing or hunting or to lumber operation, or if he receives written complaint from a water company or a land owner that beaver are polluting a water

supply or doing actual and substantial damage to property. He may make such rules and regulations as he deems necessary as to length of season and bag limit.

2. *Licenses.* Amend section 8 of chapter 244 of the Revised Laws, as amended by section 2, chapter 46, Laws of 1945, by striking out the second sentence thereof so that said section as amended shall read as follows: 8. *Trapping.* During said open season any resident of the state holding a trapping license may take and possess beaver by means of traps only.

3. *Trapping.* Amend section 13 of chapter 244 of the Revised Laws by adding at the end thereof the words, "provided, however, that a person trapping for beaver through the ice during the open season therefor, shall visit his traps once in each seventy-two hours," so that said section as amended shall read as follows: 13. *Visiting Traps.* A person shall visit his traps at least once in each calendar day, but such visiting hours shall be between one-half hour before sunrise and one-half hour after sunset only, provided, however, that a person trapping for beaver through the ice during the open season therefor, shall visit his traps once in each seventy-two hours.

4. *Takes Effect.* This act shall take effect upon its passage.

Mr. Washburn of Bartlett moved that the House concur in the amendment.

The question being on the amendment.

(Discussion ensued)

Messrs. Washburn of Bartlett and Sanborn of Wakefield spoke in favor of the amendment.

On a *viva voce* vote the House concurred in the amendment and the bill was sent to the Senate for concurrence.

Message from the Senate

A message from the Honorable Senate, by its Clerk, stated that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 15, An act relative to the filing of campaign receipts and expenditures by political committees.

House Bill No. 80, An act relative to the charter of the Goffstown Fire Precinct.

Resolutions

Mr. Blanchard of Farmington offered the following resolution:

Resolved, That when the House adjourns today, it be in memory of Henry Wilson who was born in Farmington on February 16, 1812 and who was the only native born son of New Hampshire who became Vice President of the United States.

On a *viva voce* vote the resolution was adopted.

Mr. Brown of Strafford offered the following resolution:

Whereas, we have learned with the deepest sorrow of the passing of a former member of this House of Representatives from the town of Hopkinton, George A. Putnam, and

Whereas, "Uncle George" was not only a zealous advocate of agriculture in our state and in the nation, but was also interested in every civic problem of the people, exerting his efforts to advance all fields of endeavor which the common man might follow to earn his livelihood, now therefore be it

Resolved, That this legislature go on record as recognizing the great contribution that Mr. Putnam has made to better American life as one of the charter members of the Farm Bureau, the Grange and as a town officer.

On a *viva voce* vote the resolution was adopted.

Mr. Freeman of Concord offered the following resolution:

Whereas, James A. Fraser is celebrating his 86th birthday tomorrow, February 16th, therefore be it

Resolved, That we, the members of the House of Representatives, hereby extend to our fellow member our heartiest congratulations and best wishes for many more years to come, and be it further

Resolved, That the Clerk be instructed to send a copy of these resolutions to Mr. Fraser.

On a *viva voce* vote the resolution was adopted.

Mr. Roy of Berlin offered the following resolution:

Whereas, we have learned of the illness of Henry M. Moffett, Representative from Berlin, therefore be it

Resolved, That we, the members of the House of Representatives, express our sympathy to our fellow member and extend our best wishes for a speedy recovery to health, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Mr. Moffett.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford, business in order at 3 o'clock was made in order at the present time, and the third reading of bills be read by their titles only, and when the House adjourns today it adjourns to meet Monday at 11:00 o'clock.

Third Readings

House Bill No. 13, An act relative to election of members of the school board of the school district of Lincoln.

House Bill No. 66, An act relative to standards of identity for milk, butter and cream.

House Bill No. 146, An act relating to reinsurance.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 4, An act changing the name of Keene Building and Loan Association of Keene to Keene Co-operative Bank.

Read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mr. Lea of Pembroke at 12:10 o'clock the House adjourned.

MONDAY, FEBRUARY 19, 1951

The House met according to adjournment.

Prayer was offered by Rev. Donald B. Howard, Pastor of Congregational Church, Cornish, N. H.

O God, Who has made nations and peoples and set the bounds of their habitation, we lay before Thee the needs of Thy people in the State of New Hampshire. Thou knowest

everyone in its borders and yet wishest us to put his wants before Thee. So we ask Thy guidance for our governor, for the heads and workers in our several State offices, and for each senator and representative as he and she resumes his task of governing, directing, or legislating. In the Name of Him for Whom our fathers founded, fashioned, and favored our commonwealth. Amen.

Leaves of Absence

Mr. Turner of Keene was granted leave of absence for the day on account of attending a monthly meeting of the trustees of the State Industrial School.

Mrs. Cooper of Nashua and Mr. Sweeney of Manchester were granted leaves of absence for the day on account of illness in the family.

Messrs. Chamberlin of Haverhill and Ayotte of Franklin were granted leaves of absence for the day on account of illness.

Messrs. Bass of Peterborough and McMeekin of Haverhill were granted leaves of absence for the day on account of important business.

Miss Horner of Thornton was granted leave of absence for the week on account of death in the family.

Messrs. Rhodes of Walpole, Black of Bennington, Brunel of Concord, Pinkham of Northwood, Rowell of Newport, Holden of Newington, Rathbun of Harrisville and Charland of Franklin, were granted leaves of absence for the week on account of illness.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Rules Committee, House Bill No. 351, An act relative to the taxation of natural gas pipe lines. To the Committee on Judiciary.

By Rules Committee, House Bill No. 352, An act legalizing the adoption of zoning ordinances in the town of Hampton, To the Committee on Municipal and County Government.

By Rules Committee, House Bill No. 353, An act relative to settlement of paupers. To the Committee on Municipal and County Government.

By Rules Committee, House Bill No. 354, An act ratifying a proposed compact with certain states specified providing for abatement of existing pollution and control of future pollution of interstate waters. To the Committee on Resources, Recreation and Development.

By Rules Committee, House Bill No. 355, An act relating to fine and imprisonment in offenses against the police of towns. To the Committee on Judiciary.

By Rules Committee, House Bill No. 356, An act regarding the sale, transfer and possession of pistols. To the Committee on Judiciary.

By Rules Committee, House Bill No. 357, An act relative to reimbursement by municipalities of expense of audit by state tax commission. To the Committee on Ways and Means.

By Rules Committee, House Bill No. 358, An act relative to town moderators. To the Committee on Municipal and County Government.

Printing Dispensed With

Mr. Merrill of Hampton moved that the rules be suspended, and the printing of House Bill No. 352 be dispensed with.

The question being on the motion.

(Discussion ensued)

Mr. Merrill of Hampton spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Engrossed Bills Report

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolution:

House Bill No. 22, An act relative to tax exemptions of institutions.

House Bill No. 29, An act relating to the liability for payment of poll taxes.

House Bill No. 33, An act relating to income taxes.

Senate Bill No. 4, An act changing the name of Keene Building & Loan Association of Keene to Keene Co-operative Bank.

House Joint Resolution No. 1, An act relative to administration of interest and dividends tax.

The report was accepted.

Committee Reports

Mrs. Griffin of Auburn, for the Committee on Education, to whom was referred House Bill No. 100, An act relative to school transportation, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Vaughan of Newport, for the Committee on Education, to whom was referred House Bill No. 178, An act establishing an advisory committee to the board of nurse examiners, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the word "Association" in the twelfth line and inserting in place thereof the word, Society, so that said section as amended shall read as follows:

1. *Advisory Board.* Amend chapter 257 of the Revised Laws as amended by chapter 285 of the Laws of 1947, by inserting after section 13 the following new section: 13-a. *Advisory Committee.* The commissioner of education, subject to the approval of the governor and council, shall appoint a committee of five members to be known as the advisory committee to the board of nurse examiners. The term of office of each shall be five years and until a successor is appointed and qualified, provided that of the first appointments one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years and one for a term of five years. The commissioner in making appointments under the provisions of this section shall include a member of the New Hampshire Medical Society, a member of the New Hampshire Hospital Association, a member of the education profession and two persons interested in nurse education. The members of said committee shall serve without compensation but may be reimbursed for necessary expenses incurred in the performance of their duties hereunder. The commissioner of education shall designate the chairman of said

committee. It shall be the duty of said committee to meet at least twice a year with the board of nurse examiners for the purpose of assisting said board in more fully carrying out the provisions of this chapter.

The report was accepted.

Mr. Carter of Cornish moved that the rules be suspended, and the reading of the amendment be dispensed with.

The question being on the motion.

(Discussion ensued)

Mr. Carter of Cornish spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted, and the bill was ordered to a third reading.

Mr. Sawyer of Concord, for the Committee on Judiciary, to whom was referred House Bill No. 51, An act relative to age of minor committed to the industrial school, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mrs. Taylor of Whitefield, for the Committee on Judiciary, to whom was referred House Bill No. 71, An act pertaining to bastardy proceedings, reported the same with the recommendation that the bill be referred to the Judicial Council for study and recommendation.

The report was accepted, and the resolution of the committee adopted.

Mr. Wadleigh of Milford, for the Committee on Judiciary, to whom was referred House Bill No. 127, An act relating to rights of surviving husband and wife, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Holden of Hanover, for the Committee on Judiciary, to whom was referred House Bill No. 343, An act legalizing the action of the Meredith School District in adopting the non

partisan ballot system, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Ransom of Meredith moved that the rules of the House be so far suspended that House Bill No. 343, An act legalizing the action of the Meredith School District in adopting the non partisan ballot system, be put upon its third reading and final passage by title at the present time.

The question being on the motion.

(Discussion ensued)

Mr. Ransom of Meredith spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

The bill was read a third time and passed, and sent to the Senate for concurrence.

Miss Horner of Thornton, for the Committee on Municipal and County Government, to whom was referred House Bill No. 73, An act relating to duties of selectmen to make reports to tax commission and of school district clerk to report to selectmen, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Miss Horner of Thornton, for the Committee on Municipal and County Government, to whom was referred House Bill No. 87, An act providing for the appointment of acting town officials in certain cases, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Miller of Fitzwilliam, for the Committee on Transportation, to whom was referred House Bill No. 40, An act relating to the registration of pleasure-car type motor vehicles, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Rathbone of Exeter moved that the words "ought to pass" be substituted for the resolution of the committee, inexpedient to legislate.

The question being on the motion to substitute.

(Discussion ensued)

Mr. Rathbone of Exeter spoke in favor of the motion.

Mr. Leach of Rochester spoke against the motion.

On a *viva voce* vote the motion to substitute did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mrs. Miller of Fitzwilliam, for the Committee on Transportation, to whom was referred House Bill No. 112, An act relative to penalties for operating motor vehicles whose size or weight exceed the legal limit, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Miller of Fitzwilliam, for the Committee on Transportation, to whom was referred House Bill No. 114, An act relating to licenses to operate motor vehicles, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Kearns of Manchester moved that the words "ought to pass" be substituted for the resolution of the committee, inexpedient to legistlate.

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Kearns of Manchester, Pickett of Keene and Lea of Pembroke, spoke in favor of the motion.

Messrs. Leach of Rochester, Spaulding of Hudson and Gamsby of Sunapee, spoke against the motion.

Mr. Hart of Wolfeboro moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute the words "ought to pass" for the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the affirmative appeared to prevail.

Mr. Wadleigh of Milford asked for a division.

A division being had, 177 members having voted in the affirmative and 141 members having voted in the negative, the motion to substitute prevailed.

The question being, Shall the bill be read a third time?

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Miller of Fitzwilliam, for the Committee on Transportation, to whom was referred House Bill No. 152, An act to provide for the installation of head and rear lights on track motor cars operated by common carriers by railroads, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Miller of Fitzwilliam, for the Committee on Transportation, to whom was referred House Bill No. 169, An act to provide for installation of windshields and tops on track motor cars operated by common carriers by railroads, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Jackson of Dublin, for the Committee on Resources, Recreation and Development, to whom was referred House Joint Resolution No. 4, Joint resolution memorializing congress relative to the St. Lawrence water ways, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Kazakis of Manchester moved that the words "ought to pass" be substituted for the resolution of the committee, "inexpedient to legislate."

The question being on the motion to substitute.

(Discussion ensued)

Mr. Kazakis of Manchester spoke in favor of the motion.

Messrs. Dort of Chesterfield and English of Hancock spoke against the motion.

On a *viva voce* vote the motion to substitute did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had adopted the following concurrent resolutions, in the adoption of which it asked the concurrence of the House of Representatives:

Resolved, That the Senate and House meet Wednesday, Thursday, and Friday, March 14, 15, and 16, the week of March 11th, same being the week that Town Meeting falls on Tuesday, March 13th.

On motion of Mr. Sanborn of Wakefield the House concurred in the adoption of the concurrent resolution.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 46, An act relating to the operation, registration and licensing of motor vehicles.

Amend section 4 of the bill by striking out said section and inserting in place thereof the following:

4. *Temporary Plates.* Amend section 51 of chapter 116 of the Revised Laws as amended by section 4 of chapter 177 of the Laws of 1947 by inserting after the word "dealer" in the second line the words, "except those manufacturers or dealers that may be relieved of such requirements by the commissioner," and further amend said section by striking out the word "five" in the seventh line and inserting in place thereof the word, "ten," so that said section as amended shall read as follows:

51. *Temporary Plates.* A manufacturer or dealer, except those manufacturers or dealers that may be relieved of such requirements by the commissioner, shall, upon the sale or exchange of a motor vehicle, trailer, semi-trailer, or tractor, attach to such motor vehicle, trailer, semi-trailer, or tractor, a set of temporary number plates, and the purchaser of such motor vehicle, trailer, semi-trailer, or tractor may operate the same for a period not to exceed ten consecutive days thereafter without payment of a registration fee.

Further amend said bill by striking out all of section 11 and renumbering sections 12, 13 and 14 to read sections 11, 12 and 13.

On motion of Mr. Leach of Rochester the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution, sent up from the House of Representatives:

House Bill No. 22, An act relative to tax exemptions of institutions.

House Bill No. 29, An act relating to the liability for payment of poll taxes.

House Bill No. 33, An act relating to income taxes.

House Joint Resolution No. 1, An act relative to administration of interest and dividends tax.

Resolutions

Mr. Kershaw of Swanzey offered the following resolution:

Whereas, we have learned of the death of Bert Warner Wheeler, Representative from Swanzey in 1941 and father-in-law of Burleigh Robert Darling, State Senator from the 10th District, therefore be it

Resolved, That we, the members of the House of Representatives, hereby express our deepest sympathy to Senator Darling, and the members of Mr. Wheeler's family, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Mrs. Wheeler.

On a *viva voce* vote the resolution was adopted.

Mr. Pelletier of Nashua offered the following resolution:

Whereas, we have learned with regret of the serious illness of our former member, Alfred Betters of Ward 7, Nashua, who has been our colleague for many sessions, and his confinement in the St. Joseph's Hospital, now therefore be it

Resolved, That the members of this House of Representatives wish to extend their condolences to Mr. Betters, and their best wishes for a speedy recovery, and be it further

Resolved, That the Clerk be instructed to transmit a copy of these resolutions to Mr. Betters.

On a *viva voce* vote the resolution was adopted.

Reconsideration

Mr. Scamman of Stratham moved that the House reconsider the vote whereby it voted as inexpedient to legislate, House Joint Resolution No. 4.

On a *viva voce* vote the motion to reconsider did not prevail.

On motion of Mr. Wadleigh of Milford, business in order at 3 o'clock was made in order at the present time, and the third reading of bills be read by their titles only.

Third Readings

House Bill No. 73, An act relating to duties of selectmen to make reports to tax commission and of school district clerk to report to selectmen.

House Bill No. 87, An act providing for the appointment of acting town officials in certain cases.

House Bill No. 114, An act relating to licenses to operate motor vehicles.

Severally read a third time and passed, and sent to the Senate for concurrence.

Reconsideration

Mr. Kearns of Manchester moved that the House reconsider the vote whereby it passed House Bill No. 114.

On a *viva voce* vote the motion to reconsider did not prevail.

House Bill No. 127, An act relating to rights of surviving husband and wife.

House Bill No. 178, An act establishing an advisory committee to the board of nurse examiners.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of Mr. Evans of Lancaster at 1:58 o'clock the House adjourned.

TUESDAY, FEBRUARY 20, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O Lord Jesus Christ, Who hast said, "And I, if I be lifted up from the earth, will draw all men unto Me," grant us, in our human weakness, to know the blessing of Thy drawing power. If we have lived by sight alone, lift us to the height that we may have vision as well; if we are satisfied with mere temporal things of life, lift us above these earthly things, that we may know and experience the joy of the things that are eternal; help us at all times, and in all places, to feel the pull of Thy magnetic power; through the same Jesus Christ our Lord. Amen.

Leaves of Absence

Mrs. Morey of Hart's Location was granted leave of absence for the day on account of illness.

Mr. Blodgett of Concord was granted leave of absence for the remainder of the week on account of illness.

Mr. Davis of Portsmouth was granted leave of absence for Monday and Tuesday on account of illness.

Introduction of Bill

The following bill was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mrs. Goodwin of Hollis, House Bill No. 359, An act relative to protected and unprotected birds. To the Committee on Fish and Game.

Engrossed Bill Report

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bill:

Senate Bill No. 20, An act relating to beaver.

The report was accepted.

Committee Reports

Mrs. Kendall of Exeter, for the Committee on Insurance, to whom was referred House Bill No. 317, An act relating to certain fees in connection with the sale of securities, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Fuller of Hanover moved that the rules be suspended and House Bill No. 317 be put upon its third reading, by title, and final passage, at the present time.

The question being on the motion.

(Discussion ensued)

Mr. Fuller of Hanover spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

The bill was read a third time and passed and sent to the Senate for concurrence.

Mr. Hart of Wolfeboro, for the Committee on Appropriations, to whom was referred House Bill No. 39, An act relative to the New Hampshire Turnpike, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Scamman of Stratham, for the Committee on Appropriations, to whom was referred House Bill No. 136, An act relative to support of permanently and totally disabled persons, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The question being, Shall the bill be read a third time?

(Discussion ensued)

Messrs. Scamman of Stratham, Sanborn of Wakefield and Ferguson of Pittsfield, spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mr. Pickett of Keene moved that the rules be suspended and House Bill No. 136 be put on its third reading, by title, and final passage, at the present time.

The question being on the motion.

(Discussion ensued)

Mr. Pickett of Keene spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

The bill was read a third time and passed, and sent to the Senate for concurrence.

Reconsideration

Mr. Sanborn of Wakefield moved that the House reconsider the vote whereby it passed House Bill No. 136.

On a *viva voce* vote the motion to reconsider did not prevail.

Mr. Ferguson of Pittsfield, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 5, Joint resolution in favor of Joseph DuMond, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Bell of Plymouth, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 8, Joint resolution in favor of Percy F. Benedict, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Ferguson of Pittsfield, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 10, Joint resolution making appropriation for the Yankee Division Convention to be held in the City of Portsmouth, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee, inexpedient to legislate.

Mr. O'Shan of Laconia moved that House Joint Resolution No. 10 be recommitted to the Committee on Appropriations.

The question being on the motion to recommit.

(Discussion ensued)

Mr. O'Shan of Laconia spoke in favor of the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Wedick of Manchester asked for a division.

A division being had, 145 members having voted in the affirmative, and 168 members having voted in the negative, the motion to recommit did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution of the committee, inexpedient to legislate, was adopted.

Reconsideration

Mr. Pillsbury of Manchester moved that the House reconsider the vote whereby it voted as inexpedient to legislate, House Joint Resolution No. 10.

The question being on the motion to reconsider.

(Discussion ensued)

Mr. Pillsbury of Manchester spoke in favor of the motion.

Mr. O'Shan of Laconia and Mr. Betley of Manchester and Mrs. Brungot of Berlin spoke against the motion.

On a *viva voce* vote the affirmative appeared to prevail.

Mr. Betley of Manchester asked for a division.

A division being had, 170 members having voted in the affirmative, and 156 members having voted in the negative, the motion to reconsider the vote of the committee, inexpedient to legislate, prevailed.

Mr. Betley of Manchester moved that House Joint Resolution No. 10, be recommitted to the Committee on Appropriations.

On a *viva voce* vote the House Joint Resolution No. 10 was recommitted to the Committee on Appropriations.

Mr. Hart of Laconia, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 13,

Joint resolution in favor of Fred D. Harrington, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Baron of Claremont, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 15, Joint resolution in favor of Horace L. Wetherbee, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Cummings of Colebrook, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 29, Joint resolution in favor of Agnes W. Walter, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Scamman of Stratham, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 31, Joint resolution in favor of Marvin D. Smith, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Hart of Wolfeboro, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 32, Joint resolution in favor of Gladys Johnson, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Green of Rollinsford, for the Committee on Municipal and County Government, to whom was referred House Bill No. 27, An act providing for the consolidation of the offices of town clerk and tax collector, reported the same with the following

amendment, and the recommendation that the bill as amended ought to pass:

Amend House Bill No. 27 by striking out all after the enacting clause and inserting in place thereof the following:

1. *Consolidation of Town Offices.* Amend Chapter 59 of the Revised Laws by inserting after section 9 the following new section: 10. *Authority Granted.* Any town at any annual meeting may by majority vote, under a proper article in the warrant therefor, provide that the offices of collector of taxes and town clerk shall be combined and one person be elected thereto who shall perform the duties of collector of taxes, and the duties of town clerk as though severally elected to said offices. Any such vote shall take effect at the next succeeding annual town meeting and remain in effect until rescinded under a proper article in the warrant, such recision to take effect at the next succeeding annual meeting.

2. *Takes Effect.* This act shall take effect upon the passage.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Messrs. Green of Rollinsford and Spaulding of Hudson spoke in favor of the amendment.

Mr. McMeekin of Haverhill moved that the amendment be laid upon the table to be printed.

On a *viva voce* vote the amendment was laid upon the table to be printed.

Mr. Wheeler of Keene, for the Committee on Public Health, to whom was referred Senate Bill No. 16, An act relating to the powers, duties and membership of the board of medical examiners, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mrs. Corliss of Manchester, for the Committee on Public Health, to whom was referred Senate Bill No. 17, An act relating to the deputy state health officer, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Callum of Unity, for the Committee on Public Health, to whom was referred House Bill No. 126, An act relating to poultry houses and yards as nuisances in certain cases, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Pelletier of Nashua, for the special committee consisting of the members from the city of Nashua, to whom was referred House Bill No. 157, An act to relieve members of the police force of the city of Nashua from police duty at certain times, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives.

House Bill No. 18, An act to change the corporate name of the Hillsborough County Savings Bank.

House Bill No. 295, An act relative to forest conservation and taxation.

The message further announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill:

Senate Bill No. 20, An act relating to beaver.

The message also announced that the Senate has passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 13, An act relating to the practice of physical therapy by registered physical therapists.

Senate Bill Read and Referred

Senate Bill No. 13, An act relating to the practice of physical therapy by registered physical therapists.

Read a first and second time, and referred to the Committee on Public Health.

Resolution

Mr. Remick of Tamworth offered the following resolution:

Be It Resolved, by the House of Representatives, the Senate concurring, That beginning the Legislative week of February 27th, the General Court be in session four working days each week, namely, Tuesday, Wednesday, Thursday and Friday.

The question being on the resolution.

(Discussion ensued)

Mr. Remick of Tamworth spoke in favor of the resolution.

Mr. Sanborn of Wakefield and Mrs. Brungot of Berlin spoke against the resolution.

On a *viva voce* vote the resolution was not adopted.

Reconsideration

Mr. Pickett of Keene moved that the House reconsider the vote whereby it voted as inexpedient to legislate, House Joint Resolution No. 31.

The question being on the motion to reconsider.

(Discussion ensued)

Messrs. Pickett of Keene and Fernald of Rochester spoke in favor of the motion.

Mr. Sanborn of Wakefield spoke against the motion.

On a *viva voce* vote the negative appeared to prevail.

Mr. Pickett of Keene asked for a division.

A division being had, 160 members having voted in the affirmative, and 128 members having voted in the negative, the motion to reconsider prevailed.

Mr. Pickett of Keene moved that House Joint Resolution No. 31 be recommitted to the Committee on Appropriations.

On a *viva voce* vote House Joint Resolution No. 31 was recommitted to the Committee on Appropriations.

On motion of Mr. Wadleigh of Milford, business in order at 3 o'clock was made in order at the present time, and the third reading of bills be read by their titles and joint resolutions by their titles, only.

Third Readings

House Bill No. 39, An act relative to the New Hampshire Turnpike.

House Bill No. 157, An act to relieve members of the police force of the city of Nashua from police duty at certain times.

House Joint Resolution No. 15, Joint resolution in favor of Horace L. Wetherbee.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 16, An act relating to the powers, duties and membership of the board of medical examiners.

Senate Bill No. 17, An act relating to the deputy state health officer.

Severally read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Martin of Littleton at 12:50 o'clock the House adjourned.

WEDNESDAY, FEBRUARY 21, 1951

The House met according to adjournment.

Prayer was offered by Rev. W. Douglas Swaffield, Pastor, Community Church, Derry, N. H.

Washington's Prayer

Almighty God: We make our earnest prayer that thou wilt keep the United States in thy holy protection; that thou wilt incline the hearts of the citizens to cultivate a spirit of subordination and obedience to government; and entertain a brotherly affection and love for one another, and for their fellow citizens of the United States at large. And finally that thou wilt most graciously be pleased to dispose us all to do justice, to love mercy, and to demean ourselves with that

charity, humility, and pacific temper of mind which were the characteristics of the divine author of our blessed religion, and without a humble imitation of whose example in these things we can never hope to be a happy nation. Grant our supplication, we beseech thee; through Jesus Christ our Lord. Amen.

Leaves of Absence

Mr. Lamson of New London was granted leave of absence for the day on account of important business.

Mr. Davis of Portsmouth was granted leave of absence for the day on account of illness.

Committee Reports

Mr. Walsh of Keene, for the Committee on Education, to whom was referred House Bill No. 233, An act relating to the enumeration of children, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mrs. Record of Nashua, for the Committee on Education, to whom was referred House Bill No. 268, An act relative to qualifications for scholarship for orphans of veterans, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by pending legislation.

The report was accepted, and the resolution of the committee adopted.

Mr. Ashley of Lebanon, for the Committee on Executive Departments and Administration, to whom was referred House Joint Resolution No. 28, Joint resolution relative to purchase of automobiles by state employees and officials, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend the joint resolution by inserting after the word "by" in the seventh line the following: the following three methods (a) continuing the present rate of mileage paid to private car owners (b) purchasing more cars by the travel bureau for its pool and (c), so that said joint resolution as amended shall read as follows:

That a joint committee, to consist of three members of the

house and two members of the senate appointed by the speaker of the house and by the president of the senate respectively, and two members of the public to be appointed by the governor with the advice and consent of the council, shall be appointed to make, without compensation, a thorough and impartial investigation of the economies to be effected by the following three methods (a) continuing the present rate of mileage paid to private car owners (b) purchasing more cars by the travel bureau for its pool and (c) authorizing the purchase through the director of purchase and property of automobiles by state employees and officials for use in their state employment and official business, and that said committee shall prepare a report of its findings and recommendations for legislation if any to the 1951 legislature.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Kennedy of Manchester, for the Committee on Labor, to whom was referred House Bill No. 109, An act relative to unemployment compensation, eligibility conditions for members of the general court, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Kennedy of Manchester, for the Committee on Labor, to whom was referred House Bill No. 156, An act relating to minimum wage, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Green of Rollinsford, for the Committee on Municipal and County Government, to whom was referred House Bill No. 175, An act authorizing the town of Gilmanton to issue refunding notes or bonds, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Green of Rollinsford, for the Committee on Municipal and County Government, to whom was referred House Bill No. 179, An act relative to town officers removed from office,

reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Codding of Keene, for the Special Committee consisting of the members from the city of Keene, to whom was referred House Bill No. 103, An act relating to the police force of the city of Keene, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee, inexpedient to legislate.

Mr. Bennett of Keene spoke in favor of the motion.

Mr. Pickett of Keene moved that the words "ought to pass" be substituted for the resolution of the committee, inexpedient to legislate, and with that motion pending the bill be laid upon the table, and made a special order for Tuesday, February 27, at 11:01 o'clock.

The question being on the motion.

(Discussion ensued)

Mr. Pickett of Keene spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Taken from the Table

On motion of Mr. McMeekin of Haverhill, House Bill No. 27, An act providing for the consolidation of the office of town clerk and tax collector, was taken from the table.

The question being on the amendment as printed in the Journal of February 20 on page 8.

Mr. Spaulding of Hudson moved that House Bill No. 27 be recommitted to the Committee on Municipal and County Government.

The question being on the motion to recommit.

(Discussion ensued)

Mr. Spaulding of Hudson spoke in favor of the motion.

Messrs. McMeekin of Haverhill, Perkins of Concord, Boutin of Belmont and Durkee of Seabrook spoke against the motion.

On a *viva voce* vote the motion to recommit did not prevail.

The question being on the amendment as printed in the Journal.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. McMeekin of Haverhill moved that the rules be suspended, and House Bill No. 27 be put upon its third reading, by title, and final passage, at the present time.

On a *viva voce* vote the motion prevailed.

The bill was read a third time and passed, and sent to the Senate for concurrence.

Reconsideration

Mr. McMeekin of Haverhill moved that the House reconsider the vote whereby the House passed House Bill No. 27.

On a *viva voce* vote the motion to reconsider did not prevail.

Resolution

Mr. Smith of Loudon offered the following resolution:

Whereas, we have learned with sorrow of the death of Forrest Kenney, former representative from Loudon, therefore be it

Resolved, That we, the members of the House of Representatives of the New Hampshire Legislature, extend our sympathy to the family of the deceased in their bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to the family.

On a *viva voce* vote the resolution was adopted.

House Rule No. 30

The Speaker called attention to House Rule No. 30 which reads as follows:

30. No vote shall be reconsidered, unless the motion for reconsideration be made by a member who voted with the

majority, nor unless the notice of such motion be given to the House in open session, prior to adjournment on the same day on which the vote was passed, or on the next day on which the House shall be in session within one-half hour after the convening of the morning session.

On motion of Mr. Wadleigh of Milford, business in order at 3 o'clock was made in order at the present time, and the third reading of bills be read by their titles and joint resolution by its caption only, and that when the House adjourns today it adjourn to meet Monday morning at 11:00 o'clock, and that when it then adjourns it be to meet Tuesday morning, at 11:00 o'clock.

Third Readings

House Bill No. 156, An act relating to minimum wage.

House Bill No. 175, An act authorizing the town of Gilmanton to issue refunding notes or bonds.

House Bill No. 179, An act relative to town officers removed from office.

House Bill No. 233, An act relating to the enumeration of children.

House Joint Resolution No. 28, Joint resolution relative to purchase of automobiles by state employees and officials.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of Mrs. Frizzell of Charlestown, at 12:00 o'clock the House adjourned.

MONDAY, FEBRUARY 26, 1951

MR. RAYMOND K. PERKINS
Concord, N. H.

DEAR SIR:

I shall be unable to attend the session on Monday morning. Will you kindly preside for me and oblige.

Yours respectfully,

LANE DWINELL,
Speaker.

On motion of Mr. Hurd of Concord, at 11:01 o'clock the House adjourned.

TUESDAY, FEBRUARY 27, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God, the Father of all men, deliver us from every prejudice born of hate and fear and kept alive by ignorance and pride. Help us to open our hearts and minds to new friendships and relationships, and to gladly receive the good from others who differ from us religiously, politically and racially. Keep us humble to learn from all sources and all peoples, and enrich us with the thoughts and experiences of others. Make our lives both broad and deep as we become sharers in the good and righteous qualities of our fellows; through Jesus Christ, our Lord. Amen.

Leaves of Absence

Mr. Janelle of Nashua was granted leave of absence for the day on account of important business.

Messrs. Tobey of Concord, Fernald of Rochester, Leary and Smart of Portsmouth, and Scamman of Stratham, were granted leaves of absence for the day on account of illness.

Miss Horner of Thornton and Mesdames Sawyer of Woodstock, St. Pierre of Rochester and Atkins of Hanover, and Messrs. Moffett of Berlin, Ingham of Winchester, Hall of Marlboro, Green of Rollinsford, Loiselle of Concord, Davis of Portsmouth and Walker of Hinsdale, were granted leaves of absence for the week on account of illness.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Adams of Lebanon, House Bill No. 360, An act dividing Grafton County into commissioner districts. To the Grafton County Delegation.

By Mr. Brown of Strafford, House Bill No. 361, An act relative to indemnity for condemned domestic animals. To the Committee on Appropriations.

By Mrs. Brungot of Berlin, House Bill No. 362, An act relative to ward lines of the city of Berlin. To the Berlin Delegation.

By Mr. Pillsbury and Mr. Ecker of Manchester, House Bill No. 363, An act relating to a merit system for the fire department of the city of Manchester. To the Manchester Delegation.

By Mr. Danforth and Mr. Sullivan of Manchester, House Bill No. 364, An act providing for the sale of wines by grocery stores. To the Committee on Liquor Laws.

By Mr. Malloy of Gorham, House Bill No. 365, An act relative to payment of fees for registration of motor trucks. To the Committee on Transportation.

By Mr. Holden of Hanover, House Bill No. 366, An act establishing a department of budget and accounts and relative to division of duties with department of administration and control. To the Committee on Executive Departments and Administration.

By Mr. Lindahl of Deerfield, House Bill No. 367, An act relative to expiration dates for fish and game licenses. To the Committee on Fish and Game.

Engrossed Bills Report

Mrs. Shields of Berlin, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 69, An act authorizing the Hopkinton School District in the town of Hopkinton to borrow money and to issue serial notes or bonds.

House Bill No. 18, An act to change the corporate name of the Hillsborough County Savings Bank.

House Bill No. 6, An act relative to leasing of privileges and concessions on state forests and reservations.

House Bill No. 43, An act relating to the collection of taxes against non-residents.

House Bill No. 295, An act relative to forest conservation and taxation.

The report was accepted.

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, to whom was referred House Bill No. 46, An act relating

to the operation, registration and licensing of motor vehicles, having considered the same, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 8 of said bill by striking out the first two lines and inserting in place thereof the following:

8. *Equipment.* Amend chapter 119 of the Revised Laws by inserting after section 8-a, as inserted by chapter 82, Laws of 1947, and amended by chapter 46, Laws of 1949, the following:

Amend section 12 of said bill by inserting at the end of the first line the word and figure, chapter 119.

Amend section 13 of said bill by striking out the same and inserting in place thereof the following:

13. *Takes Effect.* Section 8-b of chapter 119 of the Revised Laws, as inserted by section 8 of this act, shall take effect as of July 1, 1951. The remaining provisions of this act shall take effect upon the passage hereof.

On motion of Mr. Leach of Rochester the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendment.

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 17, An act relating to the deputy state health officer, having considered the same, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1. *State Department of Health.* Amend chapter 147 of the Revised Laws by inserting after section 4, as amended by chapter 15 of the Laws of 1943 and chapter 129 of the Laws of 1945, the following new sections:

On motion of Mr. Eldredge of Exeter the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendment.

Committee Reports

Mr. Kennedy of Manchester, for the Committee on Labor, to whom was referred House Bill No. 187, An act relating to payment of wages, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the whole of said section and inserting in place thereof the following:

1. *Payment of Wages.* Amend section 14 of chapter 212 of the Revised Laws by striking out all of said section and inserting in place thereof the following: 14. *Weekly.* Every person, firm or corporation engaged in the operation of a manufacturing, mechanical or mercantile establishment, hotels and restaurants, or in mining, quarrying, stonecutting or granite cutting, or in cutting, harvesting and driving pulpwood and timber, or in a railroad, telegraph, telephone, express or aqueduct business, or in the erection, alteration, repair or removal of any building or structure or in the construction or repair of any railroad, road, bridge, sewer, gas, water, or electric light works, pipes, or lines and every municipal corporation, shall pay the wages earned each week by employees who work by the day or week, within eight days, including Sunday, after the expiration of the week. Every such person, firm or corporation shall keep conspicuously posted in the office of the establishment or enterprise a notice on a form provided by the commissioner of labor that wages will be so paid.

The report was accepted.

The bill with the amendment pending was laid upon the table to be printed under Rule No. 48.

Ruling of the Speaker

In ruling on the interpretation of Rule 48 the Chair has for consideration on the one hand the precedents established over many years, and on the other hand the actual wording of the rule itself. The Chair finds that the actual practice in past sessions has been that a bill laid on the table for the printing and distribution of amendments as provided in Rule 48, was taken up in the order of business on the following

day. The Chair also finds that his distinguished predecessors, for whom he has the highest regard, have followed the practice outlined above for many years.

However, the Chair feels that the wording of the rule is clear with respect to the following phrase — "and when so printed and distributed the Clerk shall, after one day, cause the same to be laid upon the Speaker's table, and it shall be taken up in order without motion and disposed of in the same manner as it would have been had it not been declared laid upon the table."

Since under the normal procedure of the House, amendments printed in the Journal are not actually distributed until the following day, the Chair rules that an additional day must intervene under the provision of Rule 48 before the bill shall be taken up.

Mr. Turner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 99, An act removing the restriction as to certain officials for holding office as commissioners of a housing authority, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Matthews of New Hampton, for the Committee on Judiciary, to whom was referred House Bill No. 143, An act relating to control of vicious dogs, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Dogs.* Amend chapter 180 of the Revised Laws by inserting after section 34 the following new section: 34-a. *Vicious Dogs.* Any person who considers a dog to be vicious or a menace to persons or property without the enclosure of its owner or keeper may make complaint to the chief of police of the city or to the selectmen of the town in which such dog is kept, and such officers shall, within three days after the receipt of such complaint, investigate the case, and, if the complaint is sustained, shall forthwith order the owner or keeper of such dog to muzzle or restrain such dog from run-

ning at large as the case may require. Service of such order shall be made upon the owner or keeper of such dog by causing a certified copy of such order to be delivered to him; and if he refuses or neglects for twelve hours thereafter to comply therewith he shall be fined not more than twenty-five dollars, and the chief of police or selectmen may issue their warrant to one or more of the police officers or constables of such city or town who shall kill such dog whether on or off the premises of the owner or keeper and make return thereof of his doings.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Turner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 72, An act providing for the operation of pipe lines for the transportation, distribution and sale of natural gas, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Eminent Domain Proceedings.* Amend section 15 of Chapter 294 of the Revised Laws by striking out the first paragraph of said section and inserting in place thereof the following: 15. *Pipe Line Companies.* Whenever any corporation organized under the laws of this state or of any other state or of the United States for the purpose of constructing and operating a natural gas pipe line, which corporation holds a certificate of public convenience and necessity issued under the provisions of the Federal Natural Gas Act, approved June 21, 1938, as it now reads or may hereafter be amended, authorizing such corporation to construct and operate a natural gas pipe line or pipe lines and appurtenant facilities within this state, or any petroleum pipe line company doing exclusively an interstate business, from any cause shall be unable to acquire lands necessary to its purposes by purchase, lease or otherwise, it may institute proceedings for condemnation thereof in the manner provided in this section.

2. Amend section 15 of Chapter 294 of the Revised Laws by adding at the end thereof the following new paragraph: V. No lands or rights of way or easements therein shall be taken by eminent domain under the provisions of this act in any public property, or within the location of any railroad or

street railway company or other public utility company, provided that such pipe line or pipe lines may be constructed under or through any public highway or street, public park or reservation or other public property if the method of such construction, compensation if any, and the plans and specifications therefor have been approved by the authority having jurisdiction over the maintenance of such public highway or street, public park or reservation or other public property; and provided further that such pipe line or pipe lines may be constructed over or across the location of any railroad or street railway company or other public utility company by agreement with such railroad or street railway company or other public utility company or in the event of failure so to agree, then with the approval of the Public Service Commission and in such manner as may be determined by said commission.

3. This act shall take effect upon its passage.

The report was accepted.

The bill with the amendment pending was laid upon the table to be printed under Rule No. 48.

Mrs. Studley of Rochester, for the Committee on Judiciary, to whom was referred House Bill No. 77, An act repealing endorsement of world federation and world government, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mrs. Morey of Hart's Location moved that the bill be laid upon the table, and made a special order for Thursday, March 1, at 11:01 o'clock.

The question being on the motion.

(Discussion ensued)

Mrs. Morey of Hart's Location spoke in favor of the motion.

On a *viva voce* vote the motion prevailed, and the bill was made a special order.

Mr. Holden of Hanover, for the Committee on Judiciary, to whom was referred House Joint Resolution No. 22, Joint resolution for a strengthened United Nations, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by striking out all after the caption and inserting in place thereof the following:

Whereas our Governor, Sherman Adams, has said in his inaugural address in 1951: "If there is anything worth thinking about in these times it is how we are going to survive, keep our freedom, and our solvency,"

And, Whereas:

1. Communist schemes for a universal totalitarian order, directed from Moscow, have brought us to the brink of a third world war;

2. Russia's purpose is to disrupt the United Nations, to divide us from our natural allies, and then to distroy this nation—a symbol of free people living at peace under a government of their own creation;

3. Despite the initiative of the State of New Hampshire in preparing for civil defense, the national programs for civil and military defense have not equalled the danger;

4. Even with a maximum defense effort the United States cannot feed, rebuild, and police the world without "spending itself into destruction";

5. Until we have established an adequate basis for world peace, wars will continue to waste our resources and to destroy life, liberty, and happiness; now therefore be it

Resolved by the Senate and House of Representatives in General Court convened:

That in order to provide for the common defense, and to secure the blessings of liberty for ourselves and our posterity, our representatives in the National Congress be and hereby are requested to urge the President and Congress forthwith:

I. To speed the programs for rearmament and civil defense.

II. To join with other peace-loving peoples in creating, by Charter amendment, a more perfect United Nations, strong enough to maintain international peace and security, but not violating the basic freedoms guaranteed the American people by the Constitution of the United States; and to this end the following are suggested:

(a) The elimination of the veto in problems of aggression.

(b) The creation of a United Nations Military Force to which all member states contribute a proportionate share of men and material.

(c) The establishment of international inspection and control over all weapons of mass destruction in all nations.

(d) The continued development of the programs of the United Nations aimed at eradicating the causes of war.

III. To urge the President and the Congress forthwith to take the initiative in calling a conference of the United Nations to amend its charter to accomplish the purposes set forth above.

Be It Further Resolved, That the secretary of state is hereby directed to send a copy of this resolution to members of the Congress, to the Secretary of State, and the President of the United States.

The report was accepted.

The resolution with the amendment pending was laid upon the table to be printed under Rule No. 48.

On motion of Mr. Turner of Keene, House Joint Resolution No. 22 was laid upon the table and made a special order for Thursday, March 1, at 11:02 o'clock.

Special Order

The special order was called for.

It being House Bill No. 103, An act relating to the police force of the city of Keene.

The question being on the motion to substitute the words "ought to pass" for "inexpedient to legislate."

(Discussion ensued)

Mr. Pickett of Keene spoke in favor of the motion.

On a *viva voce* vote the negative appeared to prevail.

Mr. Pickett of Keene asked for a division.

A division being had, 142 members having voted in the affirmative and 174 members having voted in the negative, the motion to substitute, ought to pass, for inexpedient to legislate, did not prevail.

Mr. Pickett of Keene demanded a roll call but subsequently withdrew his demand.

The question being on the resolution of the committee that House Bill No. 103 is inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Reconsideration

Mr. Sanborn of Wakefield moved that the vote whereby House Bill No. 103 was voted as inexpedient to legislate be reconsidered.

The question being on the motion to reconsider.

(Discussion ensued)

Mr. Pickett of Keene spoke in favor of the motion.

Mr. Sanborn of Wakefield spoke against the motion.

On a *viva voce* vote the motion to reconsider did not prevail.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives.

House Bill No. 6, An act relative to leasing of privileges and concession on state forests and reservations.

House Bill No. 43, An act relating to the collection of taxes against non-residents.

House Bill No. 69, An act authorizing the Hopkinton School District in the Town of Hopkinton to borrow money and to issue serial notes or bonds.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 23, An act relating to town expenditures between December thirty-first and the next annual town meeting.

Amend said bill by striking out all after the enacting clause and substituting therefor the following:

1. Amend section 92 of chapter 51 of the Revised Laws as amended by chapter 142 of the Laws of 1943 by adding

thereto the following: "Nothing contained in this section shall be construed to limit the powers and duties of towns to appropriate moneys for expenditure during the year following the town meeting at which the appropriations are made or until the next annual meeting," so that said section as amended shall provide: 92. *Fiscal Year.* The fiscal year of towns, village precincts and departments thereof excepting school districts shall end on December thirty-first. Nothing contained in this section shall be construed to limit the powers and duties of towns to appropriate moneys for expenditure during the year following the town meeting at which the appropriations are made or until the next annual meeting.

2. *Takes Effect.* This act shall take effect on its passage.

Mr. McDaniel of Nottingham moved that the House non concur in the amendment and ask for a committee of conference.

On a *viva voce* vote the motion prevailed and the Speaker appointed as members of such committee on the part of the House, Messrs. Perkins of Concord, McDaniel of Nottingham and Sawyer of Concord.

House Bill No. 36, An act relative to the charter of the Trustees of the Protestant Episcopal Church in New Hampshire.

Amend section 1-a thereof by adding after the word "corporation" in the 7th line of said section the words, ". . . , unless the instrument creating the trust provides otherwise."

On motion of Mr. Rathbun of Harrisville the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 22, An act relative to a five day week for the City of Manchester Police Department.

Senate Bill No. 23, An act relating to pensioning of employees of the Waterworks Department of the City of Manchester.

Senate Bill No. 27, An act legalizing a special town meeting in the town of Bristol.

Senate Bill No. 29, An act relative to investment of funds received from the United States.

Senate Bill No. 30, An act increasing fees for non-resident trapping licenses.

Senate Bills Read and Referred

Senate Bill No. 22, An act relative to a five day week for the City of Manchester Police Department.

Senate Bill No. 23, An act relating to pensioning of employees of the Water Works Department of the City of Manchester.

Read a first and second time, and referred to a special committee consisting of the Delegation from the City of Manchester.

Senate Bill No. 27, An act legalizing a special town meeting in the town of Bristol.

Read a first and second time, and referred to the Committee on Municipal and County Government.

Senate Bill No. 29, An act relative to investment of funds received from the United States.

Read a first and second time, and referred to the Committee on Judiciary.

Senate Bill No. 30, An act increasing fees for non-resident trapping licenses.

Read a first and second time, and referred to the Committee on Fish and Game.

Resolutions

The Delegation from the City of Manchester offered the following resolution:

Whereas, we have learned of the birth of a son to Representative and Mrs. Denis F. Casey of Ward 6, Manchester, therefore be it

Resolved, That we, the members of the House of Representatives, extend our heartiest congratulations to the parents and best wishes for a long and happy life to the young man, and be it further

Resolved, That the Clerk of the House transmit to our fellow member a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

Mr. Healy of Ward 5 of Manchester offered the following resolution:

Whereas, we have learned of the illness of John M. Roche, Representative from Manchester, who is in the hospital, therefore be it

Resolved, That we, the members of the House of Representatives, hereby express our heartfelt sympathy to our fellow member in his illness and our best wishes for a speedy recovery to health, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Representative Roche.

On a *viva voce* vote the resolution was adopted.

Mr. Chandler of Warner offered the following resolution:

Whereas the House has learned of the illness of Frank O'Neil and Bob Drury, members of our newspaper corps, it is with friendly feeling that we go on record as wishing their speedy recovery from the virus that has stricken them and so many thousand others of our New Hampshire citizens.

On a *viva voce* vote the resolution was adopted.

Mrs. Lareau of Manchester offered the following resolution:

Whereas, we have learned of the death of Leda Soucy Lasante, sister of Louis J. Soucy and aunt of Arthur E. Thibodeau, Representatives from Manchester, therefore be it

Resolved, That we, the members of the House of Representatives, express our heartfelt sympathy to our fellow members in their bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Representative Soucy.

On a *viva voce* vote the resolution was adopted.

Communication

The following communication was read:

Berlin, New Hampshire
February 27, 1951

To the Members of the House of Representatives:

My sincere and heartfelt thanks for the Resolutions of Sympathy you passed at the time of the death of my husband.

Your kind consideration and thoughtfulness is very much appreciated by me and my family.

Sincerely yours,

REBECCA GAGNON.

On motion of Mr. Wadleigh of Milford, business in order at 3:00 o'clock was made in order at the present time and the third reading of a bill by its title, be read at the present time.

Third Reading

House Bill No. 143, An act relating to control of vicious dogs.

Read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Wheeler of Keene at 12:25 o'clock the House adjourned.

WEDNESDAY, FEBRUARY 28, 1951

The House met according to adjournment.

Prayer was offered by Rev. Edward H. Brewster, Pastor, Baker Memorial Methodist Church, Concord, N. H.

Almighty God, our Heavenly Father, as we assemble this morning, we would reiterate our faith in Thy Sovereignty, believing that Thou art the God of nations, as of individuals, and with all our hearts we would seek both Thy presence and Thy guidance. Our days are often touched with a feeling of despair. Reluctantly we have given our sons to armed conflict. With reluctance we venture our treasures in the arbitrament of battle. We look with concern on the vast industrial machine which our skill has fashioned, and which commands the time and strength of so many millions of our people. We exclaim with one of old, "Who is sufficient for these things?" But we are grateful for the promise of divine assistance — that if any man lack wisdom he may ask of Thee. We seek wisdom this day, and humility, and an unselfish devotion to State and Nation. Bless today's session. May its proceedings be con-

ducted in a temper of accommodation. May every good task begun achieve fruition. And thus through toil, and it may be through tears, may each of us have a part in the building of a better society among ourselves and throughout the world. In the name of Jesus Christ, our Lord. Amen.

Leaves of Absence

Mrs. Record of Nashua was granted leave of absence for the day on account of illness.

Mrs. Saltmarsh of Concord was granted leave of absence for the day on account of important business.

Mr. Spaulding of Hudson was granted leave of absence for the day on account of illness in family.

Mr. French of Bedford was granted leave of absence for the week on account of illness.

Introduction of Bills

By the Committee on Rules, House Bill No. 368, An act relative to bookmaking. To the Committee on Judiciary.

By the Committee on Rules, House Bill No. 369, An act relating to the approaches to the General John Sullivan and Alexander Scammell bridges. To the Committee on Appropriations.

By Mr. Angus of Claremont, House Bill No. 370, An act providing for sickness and non-industrial accident compensation. To a Joint Committee on Judiciary and Labor.

By the Committee on Rules, House Bill No. 371, An act relative to the bonding of officials of the University of New Hampshire. To the Committee on Judiciary.

By the Committee on Rules, House Bill No. 372, An act relating to the sale of securities and defining a dealer therein. To the Committee on Insurance.

By the Committee on Rules, House Bill No. 373, An act relating to the method in which town fire bills shall be paid. To the Committee on Resources, Recreation and Development.

By Mr. Ecker of Manchester, House Bill No. 374, An act relating to escapes from places of lawful confinement. To the Committee on Judiciary.

By Mr. Ferguson of Pittsfield, House Bill No. 375, An act establishing a special legislative commission to study fiscal operations of the state. To the Committee on Appropriations.

Engrossed Bills Report

Mrs. Holmes of Amherst, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 343, An act legalizing the action of the Meredith School District in adopting the nonpartisan ballot system.

House Bill No. 317, An act relating to certain fees in connection with the sale of securities.

The report was accepted.

Committee Reports

Mr. Brown of Strafford, for the Committee on Agriculture, to whom was referred House Bill No. 171, An act relative to purchase and sale of poultry, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Geisel of Manchester, for the Committee on Banks, to whom was referred House Bill No. 217, An act relating to savings bank investments in the shares of investment trust companies, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Cater of Somersworth, for the Committee on Executive Departments and Adminstration, to whom was referred House Bill No. 123, An act relative to purchase of state insurance and public state official and employee bonds, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out all of said section and inserting in place thereof the following:

1. *State Purchases.* Amend paragraph (e) of section 5 Chapter 14-A of the Revised Laws as inserted by Chapter 21 of the Laws of 1943 and as amended by section 1 of chapter 227 of the Laws of 1949 by striking out said paragraph and inserting in place thereof the following: (e) require competitive bidding before making any purchase for the state pursuant to the provisions of this chapter, except (1) when the purchase

involves a total expenditure of less than two hundred dollars, and when the best interests of the state would be served thereby, (2) when, after reasonable investigation by the purchasing agent, it appears that any required unit or item of supply, or brand of such unit or item, is procurable by the state from only one source, (3) when, after reasonable investigation by the purchasing agent, it appears that any required service, unit or item of supply, or brand of such unit or item, has a fixed market price at all sources available to the state, (4) when, in the opinion of the governor and council, an emergency exists of a nature which requires the immediate procurement of supplies; provided, however, that whenever the governor shall determine that an emergency exists and where he also deems it inexpedient to convene the council, he alone may authorize the purchasing agent to make a purchase without competitive bidding; and provided further, that where the rates filed with and approved by the insurance commissioner are uniform, the purchase of state insurance and public state official and employee bonds are specifically excluded from competitive bidding as to price. Provided, however, that nothing herein contained shall preclude the director of purchase and property from inviting plans of insurance coverage from any resident licensed insurance agent.

The report was accepted.

The bill with the amendment pending was laid upon the table to be printed under Rule No. 48.

Mr. Putney of Andover, for the Committee on Fish and Game, to whom was referred House Bill No. 159, An act relating to pheasants, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Putney of Andover, for the Committee on Fish and Game, to whom was referred House Bill No. 164, An act relating to revocation of fish and game licenses, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Fish and Game Licenses.* Amend section 10, chapter

247 of the Revised Laws by striking out the words "after due hearing" in the second line and inserting in place thereof the words, for thirty days; further amend by inserting after the word "director" in the ninth line the words, and commission, and by striking out the word "determines" in the ninth line and inserting in place thereof the word, determine, so that said section as amended shall read as follows: 10. *Revocation; Suspension.* The director may order any license to be suspended or revoked for thirty days for any cause that he may deem sufficient. He may order the suspension of the license of any person in his discretion, and without hearing, and may order the license delivered to him or his representative whenever he has reason to believe that the holder thereof is physically or mentally an improper or incompetent person to carry firearms, or is handling firearms improperly, or so as to endanger human life or property; but such suspension shall not be for a longer period than thirty days unless the director and commission, after investigation and hearing, so determines.

Further amend said bill by adding at the end thereof the following new section:

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Washburn of Bartlett spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Putney of Andover, for the Committee on Fish and Game, to whom was referred House Bill No. 183, An act relating to shotgun towns, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by adding after section 1 the following new section:

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Nicoll of Concord spoke in favor of the amendment.

Mr. Washburn of Bartlett moved that the bill with the amendment pending be recommitted to the Committee on Fish and Game.

On a *viva voce* vote the bill and amendment was recommitted to the Committee on Fish and Game.

Mrs. Kendall of Exeter, for the Committee on Insurance, to whom was referred House Bill No. 328, An act relating to the annual report of the insurance commissioner, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The question being, Shall the bill be read a third time?

(Discussion ensued)

Mr. Fuller of Hanover spoke in favor of the motion.

On a *viva voce* vote the motion prevailed, and the bill was ordered to a third reading.

Mr. Foote of Portsmouth, for the Committee on Liquor Laws, to whom was referred House Bill No. 246, An act relative to the sale of liquors and beverages within one hundred feet of a school or church yard, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee, inexpedient to legislate.

(Discussion ensued)

Mr. Tilton of Concord spoke in favor of the resolution.

On a *viva voce* vote the resolution of the committee, inexpedient to legislate, was adopted.

Mr. Foote of Portsmouth, for the Committee on Liquor Laws, to whom was referred House Bill No. 215, An act relating to off-sale permits, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Miss Ellis of Manchester, for the Committee on Public Health, to whom was referred House Bill No. 150, An act relating to students of dentistry practicing in the state hospital, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Lorden of Enfield, for the Committee on Public Health, to whom was referred House Bill No. 117, An act to regulate the practice of optometry, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 3 of the bill by striking out in the eighteenth line the words "an accredited school or accredited college of optometry" and inserting in place thereof the words, "a school or college of optometry approved by the board," so that said section as amended shall read as follows:

3. *Examination and Certificates.* Amend section 6 of chapter 253 of the Revised Laws by striking out said section and inserting in place thereof the following: 6. *Certificates of Qualification and Fees.* No person, except as otherwise provided in this chapter, shall practice optometry until he shall have passed an examination conducted by the board in theoretic, practical and physiological optics, in theoretic and practical optometry and in anatomy, physiology and pathology of the eye, and shall have demonstrated his ability to properly use the ophthalmoscope, the retinoscope and other scientific instruments and methods used in the practice of optometry, and shall have been registered and shall have received a certificate of qualification in optometry. Every applicant for examination shall present satisfactory evidence in the form of affidavits properly sworn to, that he is a citizen of the United States, that he is over twenty-one years of age and of good moral character, that he has graduated from a high school having a course of study of four years and approved by the board or has had a preliminary education equivalent to at least four years in a public high school, and one year at a college or junior college of arts and sciences with satisfactory grades, and graduated from a school or college of optometry approved by the board, maintaining a minimum of three years in optometric training. The fee for the examination for regis-

tration shall be twenty-five dollars, and those passing the examination shall receive the certificate of qualification without additional charge. Any person failing to pass a satisfactory examination shall be entitled to re-examination at any future meeting of the board within two years without further fee; after two years the charge will be five dollars for each subsequent examination.

Amend the heading of section 10 of chapter 253 of the Revised Laws as contained in section 6 of the bill by striking out the word "Reciprocity" and inserting in place thereof the words, "Certificate without Examination."

Further amend said bill by striking out section 13 thereof and renumbering sections 14 and 15 to read sections 13 and 14.

The report was accepted.

The reading of the amendment having commenced, Mr. Eldredge of Exeter moved that the rules be suspended and further reading of the amendment be dispensed with.

The question being on the motion of Mr. Eldredge.

(Discussion ensued)

Mr. Eldredge of Exeter spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

On a *viva voce* vote the amendment was adopted.

The question being, Shall the bill be read a third time?

(Discussion ensued)

Mr. Eldredge of Exeter and Mrs. Greene of Concord spoke in favor of the motion.

Messrs. Rathbone of Exeter, Donnelly of Manchester and Lea of Pembroke spoke against the motion.

Mr. Kennedy of Manchester moved the previous question.

The question being, Shall the main question now be put?

On a *vive voce* vote the previous question was ordered.

The question being, Shall the bill be read a third time?

On a *viva voce* vote the motion did not prevail.

Mrs. Greene of Concord asked for a division.

A division being had, 153 members having voted in the affirmative, and 176 members having voted in the negative, the motion did not prevail.

Mr. Ashley of Lebanon demanded the yeas and nays and the roll was called with the following result:

Yeas, 158

GRAFTON COUNTY: Gingras, Chamberlin of Bath, Avery, Grass, Williams, Fuller, Holden of Hanover, Chamberlin of Haverhill, Adams, Ashley of Lebanon, Cole, Jones, Randall, Collins of Lisbon, Pushee, Skinner, Howard, Bell, Huckins, Barney, Woodward, Gilbert.

COOS COUNTY: Shields, Fontaine, Cummings of Colebrook, Emerson, Evans, Christopher, Hilliard, Taylor.

ROCKINGHAM COUNTY: Tuttle, Griffin of Auburn, Clark of Derry, Gay, Fecteau, Eldridge, Putnam, Merrill, Eastman, Hall of Londonderry, Wells, Carter of No. Hampton, Pinkham, McDaniel, Colcord, Sukeforth, Foote, Dame, Ingraham of Portsmouth, Haigh, Peever, Waterhouse.

STRAFFORD COUNTY: Swain, Chase of Dover, Stackpole, Felker, Crandall, Henderson of Durham, Caldwell, Dustin, Winters, Studley, Leach.

BELKNAP COUNTY: McAllister, Boutin, Weeks, Hart of Laconia, Tilton of Laconia, Ward 3, Keller, Tilton of Laconia, Ward 4, Thompson of Laconia, Smith of Meredith, Matthews, Atwood.

CARROLL COUNTY: Sanborn, Hart of Wolfeboro, McHugh.

MERRIMACK COUNTY: Putney, Ellsworth, Nicoll, Blodgett of Concord, Ward 4, Kennedy of Concord, Hurd, Perkins of Concord, Corbett, O'Neill of Concord, Tilton of Concord, Brunel, Freeman of Concord, Greene of Concord, Blodgett of Concord, Ward 8, Nawn, Sargent, Ayotte, Mason, Davis of Hopkinton, Smith of Loudon, Lamson, Ferguson, Young, Powell.

HILLSBOROUGH COUNTY: Holmes, Wilson, Black, Farwell, Hambleton, Poore, Doonan, English, Crosby, Sterling, Goodwin, Cummings of Lyndeborough, Corliss, Kennedy of Manchester, Pettigrew, Geisel, Pillsbury, Ecker, Gorham, Nelson, Ramsdell, Locke of New Boston, Ashley of New Ipswich, Mailloux, Bass, Hines.

CHESHIRE COUNTY: Burnham, Dort, Jackson, Miller of Fitzwilliam, Rathbun of Harrisville, Perry of Jaffrey, Spofford, Collins of Keene, Landers, Wheeler, Bennett, Erwin, Codding, Turner, Sherwin, Kershaw, Worcester, Lang, Billings, Thompson of Winchester.

SULLIVAN COUNTY: Bascom, Brooks, Converse, Bissonett, Millar of Claremont, Nahil, Carter of Cornish, Bailey, Rowell, Pierce, Callum.

Nays, 190

GRAFTON COUNTY: Harrington, Willey, Clarke of Canaan, McMeekin, Sleeper, Crafts, Griffin of Lincoln, Gardner, Kelley, Martin of Littleton, Burrill, Anderson.

COOS COUNTY: Dussault, Hinchey, Desilets, Henderson of Berlin, Sheridan, Brungot, Morel, Sullivan of Berlin, Bouchard, Laforce, Roy of Berlin, Rines, Gould, Oakes, Fraser, Kimball, Simonds, Means, Ellingwood, Placy, Stinson.

ROCKINGHAM COUNTY: Libby, Wastcoat, Hazelton, Darbe, Lindahl, Hepworth, Freeman of East Kingston, Kendall, Rathbone of Exeter, Richards, LeComte, Bonney, Ring, Thurlow, McNeil, McCaffery, Sheehy, Labranche of Newmarket, Sewall, Dondero, Durell, Yeaton, Bluitte, Philbrick, Durkee.

STRAFFORD COUNTY: Marcotte of Dover, Shaheen, Fellows, Carroll, Locke of Dover, Flanagan, Blanchard, Parker, Horne, Smith of New Durham, Rolfe, Maxfield, Lacasse, Fernald, Letourneau, Carter of Somersworth, Malley, Brown of Strafford.

BELKNAP COUNTY: Perkins of Alton, Osborne, O'Shan, Brown of Laconia, Ransom, Metcalf.

CARROLL COUNTY: Washburn, Benson, Downs, Hill, Morey, Nickerson, Lamprey, Moulton, Knox, Hodgdon.

MERRIMACK COUNTY: Baron of Allenstown, Moore, Vogel, Marden, Ferrin, Bunten, Sawyer of Concord, Hadley, Towle, Chase of Franklin, Burke, Charland, DuDevoir, Milligan, Wilman, Lea, Payeur, Chandler, Sawyer of Wilmot.

HILLSBOROUGH COUNTY: Reed, Abbott, Danforth, Connor, Dwyer, Martel, Sweeney, Kean, Betley, Ellis, Healy of

Manchester, Ward 5, Kazakis, Proulx, Casey, Cavanaugh, Healy of Manchester, Ward 6, Marcoux, Sullivan of Manchester, Constant, Delisle, Kane, Cary, Gagnon, Auger, Getz, Kearns, Roukey, Laflamme, Lareau, Soucy, Vaillancourt, Chapdelaine, Gauthier, Thibodeau, Cannon, Donnelly, Wedick, Peaslee, Falconer, Wadleigh, Cooper, Underhill, Boire, Belcourt, Maynard of Nashua, Ward 3, Brosnahan, Cote, Marquis, Maynard of Nashua, Ward 5, Boisvert, Dionne, Chartrain, Dupont, Ryan, Cormier, Grandmaison, Janelle, Pelletier of Nashua, Ward 8, Bouthillier, Pelletier of Nashua, Ward 9, Cummings of Peterborough, French of Weare, Barry.

CHESHIRE COUNTY: Maloney, Kirk, O'Neil of Keene, Pickett, Walsh, Rhodes.

SULLIVAN COUNTY: Frizzell, Angus, Baron of Claremont, Carton, Marcotte of Claremont, Perry of Newport, Vaughan, Gamsby.

And the bill was refused a third reading.

Mr. Eldredge of Exeter moved that the bill be recommitted to the Committee on Public Health.

The question being on the motion to recommit.

Mr. Lea of Pembroke moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Messrs. Sanborn of Wakefield, Rathbone of Exeter and O'Shan of Laconia and Mrs. Greene of Concord, spoke against the motion.

On a *viva voce* vote the motion to indefinitely postpone did not prevail.

The question being on the motion to recommit the bill to the Committee on Public Health.

On a *viva voce* vote the motion to recommit prevailed.

Mr. Durell of Portsmouth, for the Committee on Public Works, to whom was referred House Bill No. 139, An act relative to classification of highways, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Rines of Carroll, for the Committee on Public Works, to whom was referred House Bill No. 141, An act relative to snow fences, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Bass of Peterborough, for the Committee on Ways and Means, to whom was referred House Bill No. 193, An act authorizing the licensing of dog races on which the pari-mutuel system of betting shall be permitted, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee, inexpedient to legislate.

Mr. Chandler of Warner moved that the words "ought to pass" be substituted for the resolution of the committee, inexpedient to legislate.

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Chandler of Warner and Pickett of Keene spoke in favor of the motion.

Messrs. Bass of Peterborough and Plumer of Bristol spoke against the motion.

Mr. Pickett of Keene moved the bill be laid upon the table.

On a *viva voce* vote the motion to lay upon the table did not prevail.

The question being on the motion to substitute the words "ought to pass" for the resolution of the committee inexpedient to legislate.

On a *viva voce* vote the motion to substitute did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Reconsideration

Mr. Bass of Peterborough moved that the House reconsider the vote whereby it voted as inexpedient to legislate, House Bill No. 193.

On a *viva voce* vote the motion to reconsider did not prevail.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives.

House Bill No. 95, An act relative to Harvey Lake Cemetery Association.

House Bill No. 317, An act relating to certain fees in connection with the sale of securities.

House Bill No. 343, An act legalizing the action of the Meredith School District in adopting the non-partisan ballot system.

Resolutions

Mr. Hepworth of Derry offered the following resolution:

Whereas, we have learned with regret of the death of Ernest L. Abbott, former representative from Derry, at the age of 91, therefore be it

Resolved, That we, the members of the House of Representatives, hereby express our deepest sympathy to Mr. Abbott's family, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to the family.

On a *viva voce* vote the resolution was adopted.

Mr. Sullivan of Manchester offered the following resolution:

Whereas, we have learned of the death of Mrs. Lawrence Stevens, sister of Jeremiah B. Healey, Representative from Ward 5, Manchester, therefore be it

Resolved, That we, the members of the House of Representatives, hereby extend our heartfelt sympathy to our fellow member in his bereavement, and be it further

Resolved, That the Clerk of the House transmit to Representative Healey a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

Concurrent Resolution

Mr. Kearns of Manchester offered the following concurrent resolution.

Relating to cost of living wage increase for state employees

Whereas, there are two House Bills, Nos. 113 and 124, before the Legislature for an "increased cost of living" raise, each requesting different amounts, and

Whereas, the employees of the state in both the middle and lower wage brackets of the "New Reclassification Act" are finding it difficult to maintain a decent standard of living due to the continuing increased cost of living, and

Whereas, many employees are receiving less wages now than they did under the "three hundred dollar increased cost of living bonus" granted for one year by the Legislature of 1949, and

Whereas, the members of the legislature wish additional information before taking action on the above mentioned House Bills, therefore be it

Resolved, by the House of Representatives, the Senate concurring, that the Director of the Personnel Commission be directed to report to the legislature, not later than ten calendar days from the adoption of this concurrent resolution, the names and amounts of increase in salaries and wages granted to state employees receiving increases of eight hundred dollars ($800.00) or more each per year since July 1, 1950.

The concurrent resolution was referred to the Committee on Executive Departments and Administration.

On motion of Mr. Wadleigh of Milford, business in order at 3 o'clock was made in order at the present time, and the third reading of bills be read by their titles only.

Third Readings

House Bill No. 139, An act relative to classification of highways.

House Bill No. 141, An act relative to snow fences.

House Bill No. 150, An act relating to students of dentistry practicing in the state hospital.

House Bill No. 164, An act relating to revocation of fish and game licenses.

House Bill No. 171, An act relative to purchase and sale of poultry.

House Bill No. 328, An act relating to the annual report of the insurance commissioner.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Ramsdell of Nashua at 1:00 o'clock the House adjourned.

THURSDAY, MARCH 1, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

Almighty God, our heavenly Father, who knowest our necessities, grant us Thy grace that, strengthened by Thee, in the midst of this troubled world, we may cast all our care on Thee. If sorrow comes to us, send us the sustaining power of Thy grace. If temporal need afflicts us, increase our faith in Thy care and guidance. Even if prosperity smiles upon us most generously, help us not to lose that sense of our need of Thee. Aid us to so live, under all conditions, in this chaotic world, that we may contribute something of joy and helpfulness to the lives of others; through Jesus Christ, our Lord. Amen.

Leaves of Absence

Messrs. Shea of Nashua and Walker of Hinsdale were granted leaves of absence for the remainder of the week on account of illness.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Mr. Pickett of Keene, House Bill No. 376, An act relating to the salary of the deputy register of probate in Cheshire county. To the Committee on Appropriations.

By Mr. Pickett of Keene, House Bill No. 377, An act relating to clerk hire in the probate office of Cheshire county. To the Cheshire County Delegation.

By the Committee on Rules, House Bill No. 378, An act relative to the election of members of the school committee in the city of Manchester. To the Manchester Delegation.

By the Committee on Rules, House Bill No. 379, An act relative to the registration of wood processing mills. To the Committee on Resources, Recreation and Development.

Engrossed Bills Report

Mrs. Shields of Berlin, for the Committee on Engrossed bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 12, An act relative to marking on closed packages of apples.

House Bill No. 42, An act changing the name of Pawtuckaway pond.

House Bill No. 66, An act relative to standards of identity for milk, butter and cream.

House Bill No. 95, An act relative to Harvey Lake Cemetery Association.

Senate Bill No. 17, An act relating to the deputy state health officer.

The report was accepted.

Committee Reports

Mr. Fernald of Rochester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 18, Joint resolution in favor of Daniel H. McLinn, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted.

The question being, Shall the joint resolution be read a third time?

(Discussion ensued)

Mr. Fernald of Rochester spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

The joint resolution was read a third time and passed, and sent to the Senate for concurrence.

Mr. Brown of Strafford, for the Committee on Agriculture, to whom was referred House Bill No. 151, An act relating to representation of the department of agriculture on the council on resources and development, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Hepworth of Derry, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 167, An act to provide for the discontinuance of the previous New Hampshire Teachers' Retirement System and for the preservation of the rights and privileges of the present membership thereof, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Davis of Hopkinton, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 243, An act relative to purchasing procedures involving books and supplies at state teachers colleges, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of the bill by striking out all of said title and inserting in place thereof the following: Relative to purchasing procedures involving books and periodicals at State Teachers Colleges.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Matthews of New Hampton for the Committee on Judiciary, to whom was referred House Bill No. 267, An act relative to property holding of the Huggins Hospital in the town of Wolfeboro, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Brosnahan of Nashua, for the Committee on Labor, to whom was referred House Bill No. 338, An act relative to the definition of "Most Recent Employer", determination of claims, chargeability of employers for benefits paid, and merit ratings of employers under the Unemployment Compensation

Law, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the seventh paragraph of section 4 by striking out the words "an experience" in the first line and inserting in place thereof the words, a merit, so that said paragraph as amended shall read as follows:

No employer shall be entitled to a merit rating under this subsection unless he has properly and duly submitted reports and contributions required and due under the provisions of this chapter. It is provided, however, that any employer who, for the first time, loses his rate because of the foregoing and reestablishes his rights at a later date during the year to which a rate might have been applicable, may apply for the reinstatement of said rate to which he would have been entitled, to become effective for the last six months of the year to which said rate is applicable.

Amend the heading of section 7 by striking out the same and inserting in place thereof the words, Takes Effect.

Further amend said section by striking out in the fourth and fifth lines the following: "individual has had as much as four (4) weeks of continuous" and inserting in place thereof the words, individual's work record exceeded four consecutive weeks or more of, so that said section as amended shall read as follows:

7. *Takes Effect.* This act shall take effect March 31, 1951, provided that benefits paid to an eligible individual for total or partial unemployment occurring in any benefit year beginning after the effective date of this act shall be charged to the account of the last employer with whom said individual's work record exceeded four consecutive weeks or more of employment, it being further provided that if such condition is not met then said benefits in this section referred to shall be charged to the most recent employer as described in this chapter prior to the effective date of this act, and whose account was currently charged as the most recent employer at the time of the effective date of this act.

The report was accepted.

The bill with the amendment pending was laid upon the table under Rule No. 48.

Taken from the Table

Mr. Kennedy of Manchester, for the Committee on Labor, to whom was referred House Bill No. 187, An act relating to payment of wages, reported the same with the amendment as printed in the Journal of Tuesday, February 27, and the recommendation that the bill as amended ought to pass.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Turner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 72, An act providing for the operation of pipe lines for the transportation, distribution and sale of natural gas, reported the same with amendment, as printed in the Journal of Tuesday, February 27, and the recommendation that the bill as amended ought to pass.

The question being on the amendment.

(Discussion ensued)

Messrs. Turner of Keene and Spaulding of Hudson spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Spaulding of Hudson moved that the rules be suspended, and House Bill No. 72, be put upon its third reading, by title, and final passage, at the present time.

On a *viva voce* vote the motion prevailed.

The bill was read a third time and passed, and sent to the Senate for concurrence.

Special Order

Mrs. Morey of Hart's Location called for the Special Order.

It being House Bill No. 77, An act repealing endorsement of World Federation and World Government.

The question being, Shall the bill be read a third time?

(Discussion ensued)

Mrs. Morey of Hart's Location, Messrs. Jones of Lebanon, Sherwin of Rindge, Chandler of Warner, and Chase of Dover, spoke in favor of the motion.

Mr. Rathbun of Harrisville spoke against the motion.

Mr. Hart of Wolfeboro moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being, Shall the bill be read a third time?

On a *viva voce* vote the motion prevailed, and the bill was ordered to a third reading.

Mr. Perkins of Concord called for the Special Order.

It being House Joint Resolution No. 22, Joint resolution for a strengthened United Nations, reported with the amendment as printed in the Journal of Tuesday, February 27, and the recommendation that the joint resolution as amended ought to pass.

The question being on the amendment.

(Discussion ensued)

Mr. Perkins of Concord spoke in favor of the amendment.

Mr. Healy of Ward 6, Manchester, moved that the bill with the amendment pending be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Messrs. Healy of Ward 6, Manchester, Nelson of Milford and Kearns of Manchester, spoke in favor of the motion.

Messrs. Pickett of Keene, Bass of Peterborough, Holden of Hanover and Martel of Manchester, and Mrs. Jackson of Dublin, spoke against the motion.

Mr. Barry of Wilton moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

Mr. Kearns of Manchester asked for a division.

A division being had, 76 members having voted in the affirmative, and 206 members having voted in the negative, the motion to indefinitely postpone did not prevail.

The question being on the amendment offered by the committee.

On a *viva voce* vote the amendment was adopted.

Mr. Jones of Lebanon offered the following amendment:

Amend by striking out the words "in problems of aggression" in section A of paragraph II.

The question being on the amendment of Mr. Jones of Lebanon.

(Discussion ensued)

Mr. Jones of Lebanon spoke in favor of the amendment.

Messrs. Bass of Peterborough and Perkins of Concord spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Betley of Manchester offered the following amendment:

Amend said joint resolution by striking out section (c) of paragraph II, and then re-lettering section (d) to read (c).

The question being on the amendment offered by Mr. Betley of Manchester.

(Discussion ensued)

Mr. Betley of Manchester spoke in favor of the amendment.

Messrs. Bass of Peterborough and Perkins of Concord spoke against the amendment.

Mr. Betley of Manchester asked for a division.

A division being had, the vote was declared manifestly in the negative, and the amendment was not adopted.

The question being, Shall the joint resolution be read a third time?

On a *viva voce* vote the joint resolution was ordered to a third reading.

Mr. Bass of Peterborough moved that the rules be suspended, and House Joint Resolution No. 22, be put upon its third reading, and final passage, by caption, at the present time.

On a *viva voce* vote the motion prevailed.

The joint resolution was read a third time and passed, and sent to the Senate for concurrence.

Reconsideration

Mr. Turner of Keene moved that the House reconsider the vote whereby it passed House Joint Resolution No. 22.

On a *viva voce* vote the motion to reconsider did not prevail.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

Senate Bill No. 17, An act relating to the deputy state health officer.

House Bill No. 46, An act relating to the operation, registration and licensing of motor vehicles.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 12, An act relative to marking on closed packages of apples.

House Bill No. 42, An act changing the name of Pawtuckaway Pond.

House Bill No. 66, An act relative to standards of identity for milk, butter and cream.

The message further announced that the Senate had voted to accede to the request of the House of Representatives for a committee of conference on House Bill No. 23, An act relating to town expenditures between December thirty-first and the next annual meeting, and the President has appointed as members of such committee on the part of the Senate, Senators Hartnett and O'Malley.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 21, An act relative to appointment of acting town treasurer in certain cases.

Senate Bill Read and Referred

Senate Bill No. 21, An act relative to appointment of acting town treasurer in certain cases.

Read a first and second time and referred to the Committee on Judiciary.

Recalled from Governor

On motion of Mr. Eldredge of Exeter, Senate Bill No. 16, An act relating to quarantine or isolation of a person with a communicable disease in a suitable state institution, was recalled from the Governor.

Resolution

Mr. Pelletier of Nashua offered the following resolution:

Whereas, we have learned of the death of Alfred Betters, former representative from Nashua, therefore be it

Resolved, That we, the members of the House of Representatives, hereby extend our heartfelt sympathy to the bereaved family, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to the family.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford, business in order at 3 o'clock, was made in order at the present time, and the third reading of bills be read by their titles, and a joint resolution by its caption, only.

Third Readings

House Bill No. 77, An act repealing endorsement of World Federation and World Government.

House Bill No. 151, An act relating to representation of the department of agriculture on the council on resources and development.

House Bill No. 167, An act to provide for the discontinuance of the previous New Hampshire Teachers' Retirement System and for the preservation of the rights and privileges of the present membership thereof.

House Bill No. 187, An act relating to payment of wages.

House Bill No. 243, An act relative to purchasing pro-

cedures involving books and supplies at state teachers' colleges.

House Bill No. 267, An act relative to property holding of the Huggins Hospital in the town of Wolfeboro.

House Joint Resolution No. 18, Joint resolution in favor of Daniel H. McLinn.

Severally read a third time and passed, and sent to the Senate for concurrence.

Reconsideration

Mr. Chase of Dover moved that the House reconsider the vote whereby it passed House Bill No. 77.

On a *viva voce* vote the motion to reconsider did not prevail.

On motion of Mrs. Shields of Berlin at 1:30 o'clock the House adjourned.

TUESDAY, MARCH 6, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

Lord of all power and might, who rulest in heaven and in earth; We humbly beseech Thee to awaken in all the members of this General Court such a deep sense of our duty to maintain and set forward that which is for the greatest good of the state, that political affiliation, pride or patronage may not deter us from this high ideal and most worthy ambition. Remind us always that a great host of men and women rely on our integrity. May those who sent us here, not be disappointed by the decisions we make here, through Jesus Christ, our Lord. Amen.

Leaves of Absence

Mr. Nicoll of Bow was granted leave of absence for the day on account of important business.

Mr. O'Shan of Laconia was granted leave of absence for the day on account of illness.

Messrs. Davis of Portsmouth and Loiselle of Concord were granted leaves of absence for the week on account of illness.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Mr. Rowell of Newport, House Bill No. 380, An act relative to notification of so-called write-in candidates at the state primary. To the Committee on Judiciary.

By Mrs. Dondero of Portsmouth, House Bill No. 381, An act relative to election of county commissioners in the county of Rockingham. To the Delegation from the County of Rockingham.

By Mr. Tobey of Concord, House Bill No. 382, An act relative to charitable organizations. To the Committee on Judiciary.

Engrossed Bills Report

Mrs. Corliss of Manchester, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 46, An act relating to the operation, registration and licensing of motor vehicles.

House Bill No. 13, An act relative to election of members of the school board of the school district of Lincoln.

House Bill No. 39, An act relative to the New Hampshire turnpike.

House Bill No. 76, An act relating to interest charges by credit unions.

House Bill No. 181, An act relative to Hillsborough school district and bonds therefor.

The report was accepted.

Committee Report

Miss Woodward of Waterville, for the Committee on Education, to whom was referred House Bill No. 54, An act relating to scholarships for orphans of the world wars, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 by striking out the word "twenty-two"

in the seventh and eighth lines and inserting in place thereof the word, twenty-five; further amend said section by striking out all after the figures "1946" in the eleventh line and inserting in place thereof the words, having since died from service connected disability so rated by the federal government and having been at time of death legal residents of the state, so that said section as amended shall read as follows:

1. *Scholarships for War Orphans.* Amend section 1 of chapter 35 of the laws of 1943 as amended by chapter 196 of the laws of 1945 by striking out said section and inserting in place thereof the following: 1. *Purpose.* The sums appropriated under the provisions of this act shall be used for the sole purpose of contributing to the payment of board, room rent, books and supplies, at institutions of secondary or college grade, of children between the ages of sixteen and twenty-five years, who are legal residents of the state at the time of application, whose fathers served in the army, navy or marine corps of the United States from April 6, 1917 to July 2, 1921 or from December 7, 1941 to December 31, 1946, having since died from service connected disability so rated by the federal government and having been at time of death legal residents of the state.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Carter of Cornish spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Vote Rescinded

Mr. Sanborn of Wakefield moved that the vote whereby the House ordered to a third reading, House Bill No. 54, be rescinded.

On a *viva voce* vote the motion prevailed, and House Bill No. 54 was then referred to the Committee on Appropriations.

Miss Woodward of Waterville, for the Committee on Education, to whom was referred House Bill No. 91, An act relative to bond issue for the Hampton School District, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Putney of Andover, for the Committee on Fish and Game, to whom was referred House Bill No. 115, An act increasing bounty on porcupines, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Bounties Increased.* Amend section 2 of chapter 180 of the Revised Laws as inserted by chapter 203 of the Laws of 1945 and as amended by chapter 283 of the Laws of 1949 by striking out the word "twenty-five" in the seventh line and inserting in place thereof the word, "fifty." Further amend said section by striking out in the third line the words "head thereof" and inserting in place thereof the words, "nose, with whiskers thereon"; and by striking out in the seventh and tenth lines the word "head" and inserting in place thereof the words, "nose with whiskers thereon," so that said section as amended shall read as follows: 2. *Porcupines.* If any person shall kill a porcupine within this state and shall produce the nose with whiskers thereon to the selectmen of the town or clerk of the city in which it was killed, and shall prove to their satisfaction that such porcupine was killed by him, within the limits of said town or city, the selectmen or city clerk shall destroy the nose with whiskers thereon so produced so that it cannot be offered again for bounty, and shall pay fifty cents for each porcupine so destroyed. Any person producing for bounty to the selectmen or city clerk the nose with whiskers thereon of a porcupine, killed outside the limits of that town or city, shall be fined not less than ten dollars, or imprisoned thirty days, or both. Said towns and cities shall be reimbursed for payment of said bounties as provided in section 5 hereof.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Washburn of Bartlett spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill was referred to the Committee on Appropriations.

Mr. Putney of Andover, for the Committee on Fish and Game, to whom was referred House Bill No. 161, An act relating to powers of director and conservation officers, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Powers of Conservation Officers, etc.* Amend paragraph IX, section 25, chapter 240 of the Revised Laws by inserting after the word "paraphernalia" in the first line the words, hunting and/or fishing licenses, so that said paragraph as amended shall read as follows: IX. To seize all fishing tackle, guns, shooting and hunting paraphernalia, hunting and/or fishing licenses, traps, boats, decoys, or other appliances used in violation of any law, rule or regulation relating to fish, game or fur-bearing animals, when making an arrest, or found in the execution of a search warrant, and hold the same at the owner's expense until the fine and costs imposed for the violation have been paid in full;

Further amend the bill by adding a new section as follows:

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Eldredge of Exeter, for the Committee on Public Health, to whom was referred House Bill No. 271, An act relative to the practice of dentistry, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 4 of the bill by striking out the amending clause and inserting in place thereof the following: Amend section 17 of chapter 251 of the Revised Laws, as amended by section 1, chapter 142 of the laws of 1949 by inserting after the word "of" in the fortieth line the words, a registered dentist at a state hospital or, and by inserting at the end thereof the words, or prevent students from serving as internes in any hospital approved by said board; further amend said section by inserting after the word "of" in the forty-second line the words, a registered dentist at a state hospital or, so that said section as amended shall read as follows:

4. *Dental Students.* Amend section 17 of chapter 251 of the Revised Laws, as amended by section 1, chapter 142 of the Laws of 1949 by inserting after the word "of" in the fortieth line the words, a registered dentist at a state hospital or, and by inserting at the end thereof the words, or prevent students from serving as internes in any hospital approved by said board, so that said section as amended shall read as follows: 17. *Practice.* A person shall be regarded as practicing dentistry within the meaning of this chapter who uses or permits to be used, directly or indirectly, for profit or otherwise, for himself or for any other person, in connection with his name, the word "dentist," or "dental surgeon," or the title "D. D. S." or "D. N. D." or any other words, letters, titles, or descriptive matter, personal or not, which directly or indirectly implies the practice of dentistry; or who owns, leases, maintains, or operates a dental business in any office or other room or rooms where dental operations are performed, or directly or indirectly is manager, proprietor, or conductor of the same; or who directly or indirectly informs the public in any language, orally, in writing, or in printing, or by drawings, demonstrations, specimens, signs, or pictures that he can perform or will attempt to perform dental operations of any kind; or who undertakes, by any means or method, gratuitously or for a salary, fee, money, or other reward paid or granted directly or indirectly to himself or to any other person, to diagnose or profess to diagnose, or to treat or profess to treat, or to prescribe for or profess to prescribe for any of the lesions, diseases, disorders, or deficiencies of the human oral cavity, teeth, gums, maxilla, or mandible or adjacent associated structures; or who extracts human teeth, corrects malpositions thereof or of the jaws; or who, except on the written prescription of a duly licensed dentist and by the use of impressions or casts made by a duly licensed and practicing dentist, shall directly or indirectly by mail, carrier, personal agent, or by any other method, furnish, supply, construct, reproduce, or repair prosthetic dentures, bridges, appliances, or other structures to be used and worn as substitutes for natural teeth, or adjust the same; or who administers dental anesthetics, either general or local; or who engages in any of the practices included in the curricula of recognized dental colleges; provided that nothing herein shall prevent regularly licensed physicians or surgeons from treating or prescribing

for lesions, diseases, disorders, or deficiencies of the human oral cavity, teeth, gums, maxilla, or mandible or adjacent associated structures, or from extracting human teeth or administering anesthetics, or using or prescribing drugs or other remedies; nor shall it prevent students from performing dental operations under the supervision of a registered dentist at a state hospital or competent instructors within a dental school, college, or dental department of a university recognized by said board, or prevent students from serving as internes in any hospital approved by said board.

The report was accepted.

On motion of Mr. Eldredge of Exeter, the rules were suspended, and reading of the amendment dispensed with.

On a *viva voce* vote the amendment was adopted, and the bill was ordered to a third reading.

Mrs. Kendall of Exeter, for the Committee on Insurance, to whom was referred House Bill No. 327, An act relating to certain fees in the insurance department, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out sections 1 and 2.

Further amend said bill by renumbering sections 3, 4 and 5 to read 1, 2 and 3.

Further amend said bill by adding after section 5 and renumbered section 3 the following new section. 4. *Licensed Brokers.* Amend section 35 of chapter 325 of the Revised Laws by adding at the end thereof the following words: except that any duly authorized resident licensed agent may divide commissions received by or due him upon any insurance or surety business with any other duly authorized resident licensed agent who is licensed to write the same class of business, so that said section as amended shall read as follows: 35. *When Required.* No license under this subdivision shall be required for salaried office clerks of insurance agents covering acts performed within the offices of such agents. The term broker in this subdivision shall include any person, partnership, association, or corporation, who shall act or aid in any manner in the negotiation of insurance effective in this state, or shall solicit or receive any risk or application for such insurance, in any company for which such person, partnership,

association, or corporation is not licensed as an insurance agent by the insurance commissioner of this state, or who shall receive money or value therefor, except that any duly authorized resident licensed agent may divide commissions received by or due him upon any insurance or surety business with any other duly authorized resident licensed agent who is licensed to write the same class of business.

Amend section 6 of said bill by striking out the same, by renumbering and inserting in place thereof the following: 5. *Takes Effect.* This act shall take effect upon its passage and the fees provided for in sections 2 and 3 shall be effective as to all licenses and renewals thereof issued after the passage of this act.

The report was accepted.

The bill with amendment pending was laid upon the table under Rule No. 48.

Mr. Ransom of Meredith, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 276, An act providing for the classification of certain surface waters, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Grass of Franconia, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 277, An act providing for the classification of certain surface waters, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Rathbun of Harrisville, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 279, An act providing for the classification of certain surface waters, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Malley of Somersworth, for the Committee on Ways and Means, to whom was referred House Bill No. 177, An act

relating to licensing of slot machines, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The question being on the resolution of the committee, inexpedient to legislate.

Mr. Proulx of Manchester moved that the words "ought to pass" be substituted for the resolution of the committee "inexpedient to legislate."

The question being on the motion to substitute.

(Discussion ensued)

Mr. Proulx of Manchester spoke in favor of the motion.

Mr. Peever of Salem spoke against the motion.

On a *viva voce* vote the motion to substitute the words "ought to pass" did not prevail.

The question being on the resolution of the committee, "inexpedient to legislate."

On a *viva voce* vote the resolution of the committee was adopted.

Reconsideration

Mr. Bass of Peterborough moved to reconsider the vote whereby the House adopted the resolution of the committee "inexpedient to legislate" on House Bill No. 177.

On a *viva voce* vote the motion to reconsider did not prevail.

Mr. Malley of Somersworth, for the Committee on Ways and Means, to whom was referred House Bill No. 182, An act relative to taxation of temperance societies, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The question being on the resolution of the committee.

(Discussion ensued)

Mr. Pickett of Keene spoke in favor of the resolution of the committee.

On a *viva voce* vote the resolution of the committee "inexpedient to legislate" was adopted.

Mr. Cater of Somersworth, for the Committee on Executice Departments and Administration, to whom was referred House Bill No. 123, An act relative to purchase of state insurance and public state official and employees' bonds, reported the same with amendment as printed in the Journal of February 28, 1951, and the recommendation that the bill as amended ought to pass.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Senate Message

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

House Bill No. 13, An act relative to election of members of the school board of the School District of Lincoln.

House Bill No. 39, An act relative to the New Hampshire Turnpike.

House Bill No. 53, An act relative to purity of foods and drugs procedures by state department of health in connection therewith.

House Bill No. 76, An act relating to interest charges by credit unions.

House Bill No. 181, An act relative to Hillsborough School District and bonds therefor.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 32, An act relating to the appointment of medical referees.

Senate Bill Read and Referred

Senate Bill No. 32, An act relating to the appointment of medical referees.

Read a first and second time, and referred to the Committee on Public Health.

Reconsideration

Mr. Eldredge of Exeter moved that the rules be suspended and the House reconsider its vote whereby it passed Senate Bill No. 16.

On a *viva voce* vote the motion to reconsider prevailed.

Mr. Eldredge of Exeter moved that the rules be further suspended and the House reconsider its vote whereby the House ordered Senate Bill No. 16 to a third reading.

On a *viva voce* vote the motion to reconsider prevailed.

Mr. Eldredge of Exeter moved that Senate Bill No. 16 be recommitted to the committee on Public Health.

On a *viva voce* vote, Senate Bill No. 16 was recommitted to the Committee on Public Health.

Resolutions

Mr. Sargent of Danbury offered the following resolution:

Whereas, we have learned with regret of the death of Roy Litchfield former representative from the town of Danbury, therefore be it

Resolved, That we, the members of the House of Representatives, hereby express our deepest sympathy to the bereaved family and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to the family of the deceased.

The resolution was unanimously adopted on a rising vote.

Mr. Martel of Manchester, offered the following resolution:

Whereas, we have learned of the death of Mrs. Olivine Benoit, mother of Mayor Josaphat T. Benoit of Manchester, therefore be it

Resolved, That we, the members of the House of Representatives, express our heartfelt sympathy to the family of Mrs. Benoit in its bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Mayor Benoit.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford, business in order at 3:00 o'clock was made in order at the present time, and the third reading of bills be read by their titles only.

Third Readings

House Bill No. 91, An act relative to bond issue for the Hampton School District.

House Bill No. 123, An act relative to purchase of state insurance and public state official and employees' bonds.

House Bill No. 161, An act relating to powers of director and conservation officers.

House Bill No. 271, An act relative to the practice of dentistry.

House Bill No. 276, An act providing for the classification of certain waters.

House Bill No. 277, An act providing for the classification of certain surface waters.

House Bill No. 279, An act providing for the classification of certain surface waters.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Peaslee of Merrimack at 12:10 o'clock the House adjourned.

WEDNESDAY, MARCH 7, 1951

The House met according to adjournment.

Prayer was offered by Guest Chaplain, Reverend Howard P. Horn of Pittsfield.

Give us grace, O God, to complete with good temper the work that belongs to this day, fulfilling diligently and patiently whatever duty thou appointest us; and discharging with equal devotion the tasks resting upon us by reason of the confidence vested in us as public servants. Give us grace, again, to measure our effort by the work to be done, reserving our greater strength for the performance of the tasks of weightier merit. So may we come to the close of the day wearied only in well doing and in the eager expectation of thy benediction. Amen.

Leaves of Absence

Messrs. Tilton of Laconia and Nicoll of Bow were granted leaves of absence for the day on account of important business.

Messrs. McDaniel of Nottingham and Waterhouse of Windham were granted leaves of absence for the week on account of illness.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules, House Bill No. 383, An act relative to fees for licenses to hunt or fish, and for guides. To the Committee on Fish and Game.

By the Committee on Rules, House Bill No. 384, An act relative to setting safety standards for buildings. To the Committee on Executive Departments and Administration.

By the Committee on Rules, House Bill No. 385, An act to validate certain proceedings of Plymouth Village Fire District. To the Committee on Municipal and County Government.

Printing Dispensed With

Mr. Bell of Plymouth moved that the rules be suspended to dispense with the printing of House Bill No. 385.

On a *viva voce* vote the motion prevailed.

Committee Reports

Mr. Baron of Claremont, for the Committee on Appropriations, to whom was referred House Bill No. 64, An act relative to supplies for discharged prisoners, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The question being, Shall the bill be ordered to a third reading?

(Discussion ensued)

Mr. Sanborn of Wakefield spoke in favor of the committee report.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Cater of Somersworth, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 173, An act relative to licenses of bonded warehouses, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mrs. Cooper of Nashua, for the Committee on Judiciary, to whom was referred House Bill No. 198, An act relating to photographic copies of business and public records as evidence, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Holden of Hanover, for the Committee on Judiciary, to whom was referred House Bill No. 209, An act providing for distribution of advance sheets of session laws, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Session Laws.* Amend chapter 10 of the Revised Laws by inserting after section 1 the following new section: 1-a. *Advance Sheets.* Successively as soon as enough public acts are enacted to make a signature in the session laws of New Hampshire, the secretary of state is directed to have them set in type for said acts. The clerk of the house shall secure printed copies of said successive signature sets of the public acts and send copies of them free of charge as directed by the president of the senate and the speaker of the house; said distribution shall include to the governor, members of the supreme and superior courts, the attorney general, the state library, municipal court justices, clerks of court and county solicitors.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Holden of Hanover spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill referred to the Committee on Appropriations under the rules.

Mr. Sawyer of Concord, for the Committee on Judiciary, to whom was referred House Bill No. 238, An act relative to use of false names for political endorsement, reported the

same with the following amendment, and the recommendation that the biill as amended ought to pass.

Amend section 1 of said bill by striking out the words "without authority" in line nine and inserting in place thereof the words, by false representation, and by inserting after the word "radio" in line eleven the words, or television, so that said section as amended shall read as follows:

1. *False Names or Endorsement.* Amend section 14 of chapter 41 of the Revised Laws by striking out said section and inserting in place thereof the following: 14. *False Documents; Names or Endorsement.* Any person who shall without authority, sign the name of any other person to any letter or other document, or falsely represent that any other person has written such letter or document, knowing such representation to be false, for the purpose of influencing votes, or who shall by false representation, use, employ or assign the name of any other person, or a fictitious name on a radio or television broadcast or other means of communication, to signify endorsement of a political party, candidates or programs, or for the purpose of influencing votes, shall be fined not more than one thousand dollars or imprisoned not more than one year or both.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Foote of Portsmouth, for the Committee on Liquor Laws, to whom was referred House Bill No. 214, An act relative to radio advertising of liquor and beverages. reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the Committee adopted.

Mr. Kennedy of Manchester, for the Committee on Labor, to whom was referred House Bill No. 237, An act increasing death benefits under workmen's compensation, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Kennedy of Manchester, for the Committee on Labor, to whom was referred House Bill No 255, An act relative to computation of average weekly wages under workmen's com-

pensation, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Kennedy of Manchester, for the Committee on Labor, to whom was referred House Bill No. 256, An act relative to compensation of death under workmen's compensation in certain cases, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Workmen's Compensation.* Amend section 20 of chapter 216 of the Revised Laws, as inserted by chapter 266 of the Laws of 1947 and as amended by section 2, chapter 152, Laws of 1949 and section 1, chapter 202, Laws of 1949, by adding at the end thereof a new paragraph as follows: V. Any dependent as defined herein, who at the time of the injury of the injured is in part only dependent upon his earnings shall receive such proportion of the benefits provided for those wholly dependent as the amount of the wage contributed by the deceased to such partial dependents at the time of injury bore to the total support of the dependents.

The report was accepted.

On motion of Mr. Angus of Claremont the rules were suspended, and reading of the amendment dispensed with.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Kennedy of Manchester, for the Committee on Labor, to whom was referred House Bill No. 257, An act relating to liability of third persons under workmen's compensation law, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Kennedy of Manchester, for the Committee on Labor, to whom was referred House Bill No. 350, An act relative to the definition of total unemployment, the weekly benefit

amount for total unemployment and maximum total amount of benefits payable during a benefit year, and also relative to benefit eligibility conditions, under the unemployment compensation law, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Miss Horner of Thornton, for the Committee on Municipal and County Government, to whom was referred House Bill No. 30, An act relative to annual reports of certain county officers, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out after the word "justices" the word "and" in the fifth line and by inserting in place thereof a comma, and by inserting after the word "courts" in the same line the words, and clerks of superior courts, so that said section as amended shall read as follows:

1. *County Officers.* Amend chapter 50 of the Revised Laws by adding after section 4 the following new section:

5. *Annual Statements to be Filed.* Every justice of probate court, sheriff, deputy sheriff, register of deeds and register of probate, justices, clerks of municipal courts and clerks of superior courts on or before April first of each year shall file with the secretary of state a statement of his income as such officer for the preceding year. Such statement shall be under oath, shall show the income and operating expenses from each type of work, such as salary, court attendance, criminal investigation, service of civil process, recording fees, etc., and whether the same is for services, mileage or expenses. Said statements when filed with the secretary of state shall be open to the inspection of any interested parties.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Corliss of Manchester, for the Committee on Public Health, to whom was referred Senate Bill No. 13, An act relating to the practice of physical therapy by registered physical therapists, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mrs. Ramsdell of Nashua, for the Committee on Public Health, to whom was referred Senate Bill No. 16, An act relating to the powers, duties and membership of the board of medical examiners, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 6 of the bill by striking out in the ninth line the words "not more than" so that said section as amended shall read as follows: 6. *Temporary or Restricted License.* Amend section 13 of chapter 250 of the Revised Laws by striking out said section and inserting in place thereof the following: 13. *License Without Examination.* The board may register and issue a permanent, temporary or restricted license, as it deems advisable for the best interest of the state, to any applicant who is legally qualified to treat human ailments or practice medicine in any state or country whose requirements the board deems equal to those of this state, upon payment of a fee of fifty dollars.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Eldredge of Exeter spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Pinkham of Northwood, for the Committee on Public Health, to whom was referred House Bill No. 274, An act relative to the practice of chiropractic, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Shaheen of Dover, for the Committee on Public Works, to whom was referred House Joint Resolution No. 16, Joint resolution providing a commission to study a reclassification of highways, reported the same with the following resolution:

Resolved, That the joint resolution is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Durell of Portsmouth, for the Committee on Public Works, to whom was referred House Bill No. 140, An act relative to marking highways for motor vehicle travel, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend said bill by striking out section 1 and inserting in place thereof the following new section to read as follows: 1. *Motor Vehicles.* Amend section 16-A, chapter 119 of the Revised Laws as amended by chapter 103, Laws of 1949 by striking out said section and inserting in place thereof the following: 16-A. *Highway Markings.* The commissioner of public works and highways and, subject to his approval, selectmen of any town or board of mayor and aldermen or group having similar powers in any city, having control of any highway may order such marking of highway, by painted lines, as is deemed necessary to the safe and efficient use of any such highway. In ordering or approving such marking the commissioner of public works and highways insofar as is practicable shall conform to nationally accepted standards and any marking of the highway by painted lines shall *prima facie* be deemed to be approved or ordered by the commissioner of public works and highways. When the single center line highway marking method is used, no operator of a motor vehicle shall, while proceeding along a highway, drive any part of such vehicle to the left of nor across an unbroken painted line marked on the highway by order of or with the approval of the commissioner of public works and highways and when the barrier line highway marking system is employed, no operator of a motor vehicle shall while proceeding along a highway drive any part of such vehicle to the left of nor across an unbroken painted line marked on the highway in such operator's lane by order of or with the approval of the commissioner of public works and highways except in an emergency, to permit ingress or egess to side roads or property adjacent to the highway or provided such operator has an unobstructed view and can see the end of the unbroken painted line.

The report was accepted.

The amendment was laid upon the table under Rule No. 48.

Mr. Sullivan of Manchester, for the Special Committee consisting of the delegation from the city of Manchester, to

whom was referred Senate Bill No. 22, An act relative to a five day week for the city of Manchester Police Department, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out said section and inserting in place thereof the following:

1. *Five-Day Week.* Amend section 1 of chapter 352 of the laws of 1917 as amended by section 1 of chapter 290 of the Laws of 1943 by striking out said section and inserting in place thereof the following: Section 1. Subject to the provisions of this act, members of the regular and reserve police force of the city of Manchester shall be relieved of police duties, without loss of pay, two days in each seven days. A member so relieved shall be exempt for the time from actual service and from presence for duty, but otherwise shall be subject during such relief to all laws, rules, orders and regulations for the government of the force which may be in effect from time to time. Should the exigencies of the service, in the judgment of the commissioners, or of the superintendent or other superior officer authorized thereto by the commissioners, require at any time that a member of the force should be deprived of his period of relief or that it should be curtailed, the time so lost shall be made up to him as soon thereafter as may be practicable.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Taken from the Table

Mr. Brosnahan of Nashua, for the Committee on Labor, to whom was referred House Bill No. 338, An act relative to the definition of "Most Recent Employer," determination of claims, chargeability of employers for benefits paid, and merit ratings of employers under the Unemployment Compensation Law, reported the same with amendment as printed in the Journal of March 1, 1951, and the recommendation that the bill as amended ought to pass.

The question being on the amendment.

(Discussion ensued)

Mr. Angus of Claremont spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Reconsideration

Mr. Foote of Portsmouth moved to reconsider the vote whereby the House adopted the resolution of the committee, inexpedient to legislate, on House Bill No. 214.

On a *viva voce* vote the motion did not prevail.

Senate Message

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 37, An act relating to taxation of county farms.

House Bill No. 108, An act to incorporate The Invalids' Home.

The message further announced that the Senate had voted to nonconcur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 57, An act relative to affidavits by absentee voters.

The message further announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 45, An act to dissolve the Sullivan County Railroad and Springfield Electric Railway Company.

1. Amend said bill by adding after the first section thereof the following section:

"2. The corporations shall nevertheless continue as bodies corporate for the term of three years, for the purposes specified in section 97 of chapter 274 of the Revised Laws."

2. Further amend said bill by renumbering section 2 as section 3.

On motion of Mr. Hurd of Concord the House concurred in the adoption of the Senate amendments.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 53, An act relative to purity of foods and drugs procedures by state department of health in connection therewith.

Amend section 26 of chapter 162 of the Revised Laws as inserted by section 3 of the bill by striking out said section and inserting in place thereof the following:

26. *Definition.* The term "shellfish," as used in this subdivision, means all fresh, frozen or incompletely cooked oysters, clams or mussels, either shucked or in the shell, and any fresh, frozen or incompletely cooked edible products thereof.

Amend section 28 of chapter 162 of the Revised Laws as inserted by section 3 of the bill by striking out the second sentence thereof and inserting in place thereof the following:

A certificate shall be issued to any establishment which has complied with the regulations of the board relative thereto. All certificates issued hereunder shall expire on December thirty-first next following the date of issuance.

On motion of Mr. Eldredge of Exeter the House concurred in the Engrossed Bills amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 97, An act relating to trustees and directors of savings banks.

Amend section 1 of the bill by adding in line 6 after the word Exceptions, the words, So long as a quorum is available for the transaction of business, so that said section as amended shall read as follows:

1. *Bank Directors and Trustees.* Amend section 9 of chapter 308 of the Revised Laws by inserting after the word

Exceptions the following: So long as a quorum is available for the transaction of business, and by inserting at the end thereof the following: or to the trustees of savings banks or to the directors of trust companies during periods of their active membership in the armed forces of the United States of America, so that said section as amended shall read as follows: 9. *Exceptions.* So long as a quorum is available for the transaction of business, the provisions of section 8 shall not apply to directors of trust companies who reside more than five hundred miles from the place of meeting or to the trustees of savings banks or to the directors of trust companies during periods of their active membership in the armed forces of the United States of America.

On motion of Mr. Geisel of Manchester, the House voted to non-concur in the amendments sent down from the Honorable Senate, and asked for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House, Messrs. Geisel of Manchester, Tilton of Laconia, and Marquis of Nashua.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 10, An act relating to the State Treasurer.

Senate Bill No. 19, An act relating to duties of the director of accounts.

Senate Bill No. 25, An act relating to yearly pensions for employees of the highway department and for certain appointed officials for the city of Manchester.

Senate Bill No. 31, An act providing for recording of internal revenue tax liens.

Senate Bills Read and Referred

Senate Bill No. 10, An act relating to the State Treasurer.

Read a first and second time, and referred to the Committee on Judiciary.

Senate Bill No. 19, An act relating to duties of the director of accounts.

Read a first and second time, and referred to the Committee on Judiciary.

Senate Bill No. 25, An act relating to yearly pensions for employees of the highway department and for certain appointed officials for the city of Manchester.

Read a first and second time, and referred to a Special Committee consisting of the Delegation from the City of Manchester.

Senate Bill No. 31, An act providing for recording of internal revenue tax liens.

Read a first and second time, and referred to the Commitee on Judiciary.

Resolutions

Mrs. Greene of Concord offered the following resolution:

Whereas, today is the birthday of Gertrude E. Saltmarsh, Representative from Ward 6, Concord, therefore be it

Resolved, That we, the members of the House of Representatives, hereby extend to our fellow member our best wishes for a very Happy Birthday for today and many years to come, and be it further

Resolved, That the Clerk forward to Mrs. Saltmarsh a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

Mr. Brown of Laconia offered the following resolution:

Whereas, we have learned with sorrow of the death of John MacNair Ewing, Representative from Laconia, therefore be it

Resolved, That we, the members of the House of Representatives express our heartfelt sympathy to his wife in her bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Mrs. Ewing.

And Be It Further Resolved, That when the House adjourns today it does so in the memory of John Ewing.

On a rising vote the resolution was unanimously adopted.

Mr. Mason of Hill offered the following resolution:

Whereas, we have learned of the death of Mrs. Mina D. Twombly of Hill, mother of John H. Twombly, Sergeant-at-Arms of the House, and the widow of Lenne C. Twombly, former Representative and Doorkeeper, therefore be it

Resolved, That we, the members of the House of Representatives, hereby extend our heartfelt sympathy to our Sergeant-at-Arms in his bereavement, and be further

Resolved, That the Clerk of the House transmit to him a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford, business in order at 3 o'clock, was made in order at the present time, and the third reading of bills be by their titles, only.

Third Readings

House Bill No. 30, An act relative to annual reports of certain county officers.

House Bill No. 64, An act relative to supplies for discharged prisoners.

House Bill No. 173, An act relative to licenses of bonded warehouses.

House Bill No. 198, An act relating to photographic copies of business and public records as evidence.

House Bill No. 237, An act increasing death benefits under workmen's compensation.

House Bill No. 238, An act relative to use of false names for political endorsement.

House Bill No. 255, An act relative to computation of average weekly wages under workmen's compensation.

House Bill No. 256, An act relative to compensation of death under workmen's compensation in certain cases.

House Bill No. 257, An act relating to liability of third persons under workmen's compensation law.

House Bill No. 274, An act relative to the practice of chiropractic.

House Bill No. 338, An act relative to the definition of "Most Recent Employer," determination of claims, chargeability of employers for benefits paid, and merit ratings of employers under the unemployment compensation law.

House Bill No. 350, An act relative to the definition of total unemployment, the weekly benefit amount for total unemployment and maximum total amount of benefits payable during a benefit year, and also relative to benefit eligibility conditions, under the unemployment compensation law.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 13, An act relating to the practice of physical therapy by registered physical therapists.

Read a third time and passed, and sent to the Secretary of State to be engrossed.

Senate Bill No. 16, An act relating to the powers, duties and membership of the board of medical examiners.

Senate Bill No. 22, An act relating to a five day week for the city of Manchester police department.

Severally read a third time and passed, and sent to the Senate for concurrence in the amendments.

Reconsideration

Mr. Martel of Manchester moved that the House reconsider its vote whereby it passed Senate Bill No. 22.

On a *viva voce* vote the motion to reconsider did not prevail.

On motion of Mrs. St. Pierre at 12:34 o'clock the House adjourned.

THURSDAY, MARCH 8, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God, the giver of life, and who hast said through Thy Son, Jesus Christ: "I am come that ye might have life, and have it more abundantly"; help us to covet that fulness of life that thou hast promised. Imbue us with the fact that the abundance of life is not of necessity the length of years or in the things we possess, but in the way we use those years and things. Help us to ever remember that life's greatest dividends accrue from life's greatest investments. Amen.

Leaves of Absence

Messrs. Mailloux of Pelham, Spaulding of Hudson and Walker of Hinsdale, were granted leaves of absence for the week on account of important business.

Committee Reports

Mr. Tilton of Laconia, for the Committee on Appropriations, to whom was referred House Bill No. 369, An act relating to the approaches to the General John Sullivan and Alexander Scammell bridges, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mrs. Kendall of Exeter, for the Committee on Insurance, to whom was referred House Bill No. 210, An act relating to accident and sickness policy provisions, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 20 of chapter 331 of the Revised Laws as inserted by section 2 of the bill by inserting before the word "nothing" in the first line the words, Except as otherwise specifically provided, so that said section as amended shall read as follows:

20. *Non-Application to Certain Policies.* Except as otherwise specifically provided, nothing in this chapter shall apply to or affect (1) any policy of workmen's compensation insurance or any policy of liability insurance with or without supplementary expense coverage therein; or (2) any policy or contract of reinsurance; or (3) any blanket or group policy of insurance; or (4) life insurance, endowment or annuity contracts, or contracts supplemental thereto which contain only such provisions relating to accident and sickness insurance as (a) provide additional benefits in case of death or dismemberment or loss of sight by accident, or as (b) operate to safeguard such contracts against lapse, or to give a special surrender value or special benefit or an annuity in the event that the insured or annuitant shall become totally and permanently disabled, as defined by the contract or supplemental contract.

Further amend the bill by inserting after section 2 the following new sections:

3. *Supplemental Contracts.* Amend section 24 of chapter 331 of the Revised Laws by striking out the word "such" in the first line thereof and inserting after the word "contract" in said line the words, referred to in paragraph (4) of

section 20 of this chapter, so that said section as amended shall read as follows: 24. *Approval by Commissioner.* No supplemental contract referred to in paragraph (4) of section 20 of this chapter shall be issued or delivered to any person in this state until a copy of the form thereof has been submitted to, and approved by, the commissioner, under such reasonable rules and regulations as he shall make concerning the provisions in such contracts and their submission to and approval by him.

4. *Repeal.* Sections 22, 23 and 27 of chapter 331 of the Revised Laws are hereby repealed.

Further amend said bill by renumbering section 3 to read section 5.

The report was accepted.

The bill with the amendment pending was laid upon the table to be printed under Rule No. 48, to be taken up March 15.

Mrs. Winters of Rochester, for the Committee on Military and Veterans' Affairs, to whom was referred House Joint Resolution No. 14, Joint resolution relative to a memorial in honor of John Langdon, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend the joint resolution by striking out in the thirteenth and fourteenth lines the words "in the Hall of Flags" and inserting after the word "erected" in the thirteenth line the words, in a prominent, suitable location, so that the Joint resolution as amended shall read as follows:

That a committee of three members, two chosen by the speaker of the house from the membership of the house and one chosen by the president of the senate from the membership of the senate, be and hereby are directed to secure a suitable plaque to be erected in a prominent, suitable location in the state house to the memory of John Langdon. The sum of three hundred dollars is hereby appropriated to be expended by said committee for the purposes hereof. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

The report was accepted, the amendment adopted, and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Barney of Rumney, for the Committee on Public Welfare and State Institutions, to whom was referred House Bill No. 223, An act relating to the department of public welfare, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Miss Horner of Thornton, for the Committee on Municipal and County Government, to whom was referred House Bill No. 147, An act relative to the closing of county offices on Saturdays, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Smith of Meredith moved that the bill be recommitted to the Committee on Municipal and County Government.

The question being on the motion to recommit.

(Discussion ensued)

Messrs. Smith of Meredith and Green of Rollinsford spoke in favor of the motion.

Messrs. Willey of Campton and Turner of Keene spoke against the motion.

Mr. Smith of Meredith withdrew his motion to recommit and moved to substitute the words, ought to pass, for, inexpedient to legislate.

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Pillsbury of Manchester and Pickett of Keene spoke in favor of the motion.

Mr. Ferguson of Pittsfield moved that the bill be recommitted to the Committee on Municipal and County Government.

The question being on the motion to recommit.

(Discussion ensued)

Messrs. Ferguson of Pittsfield and Green of Rollinsford spoke in favor of the motion.

Mr. Tobey of Concord moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to recommit.

On a *viva voce* vote the bill was recommitted to the committee on Municipal and County Government.

Taken from the Table

Mrs. Kendall of Exeter, for the Committee on Insurance, to whom was referred House Bill No. 327, An act relating to certain fees in the insurance department, reported the same with amendment as printed in the Journal of March 6, 1951, and the recommendation that the bill as amended ought to pass.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Fuller of Hanover and Mrs. Kendall of Exeter spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Bass of Peterborough moved that the rules be suspended to allow consideration of a joint committee report which had not been previously advertised in the Journal.

The question being on the motion of Mr. Bass.

(Discussion ensued)

Mr. Bass of Peterborough spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mr. Remick of Tamworth, for the Joint Committee on Public Works and Ways and Means, to whom was referred House Bill No. 137, An act relative to Class I, Class IV and Class V highways, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 of part 13 of chapter 90 of the Revised Laws as inserted by section 1 of said bill by inserting after the word "reconstruction" in the fifth line the words, or betterments, and by striking out the word "or" at the end of line four, so that said section as amended shall read as follows:

1. *Towns Entitled to Class IV and Class V Construction, Reconstruction or Betterment Aid.* Any city, town or un-

incorporated place which has completed its Class II highways, shall be entitled to apply for aid for purposes of construction, reconstruction or betterments of Class IV and Class V highways. Any city, town, or unincorporated place which has uncompleted portions of its Class II highways, shall also be entitled to apply for Class IV and V highway aid for any one year, provided it shall raise and appropriate for the same year such sums for construction of its uncompleted Class II highways as may be determined by the commissioner of public works and highways.

Amend subsection (b) of section 2 of part 13 of chapter 90 of the Revised Laws as inserted by section 1 of said bill by inserting before the words "this apportionment" the words, if the projects submitted are eligible for federal assistance, so that said subsection as amended shall read as follows: (b) *Apportionment B.* The commissioner shall apportion to each city and town of twenty-five hundred inhabitants and over, one thousand dollars per mile for the mileage of Class IV highways which are urban extensions of Class I and Class II highways. If the projects submitted are eligible for federal assistance, this apportionment must be used to match any federal funds which may be available to the applicant city or town. Any city or town issuing bonds to accelerate the improvement of arterial routes within its compact area may apply any part of the funds herein apportioned, for a period not to exceed ten years, to aid in the retirement of such bonds;

Amend section 8 of part 13 of chapter 90 of the Revised Laws as inserted by section 1 of said bill by striking out said section and inserting in place thereof the following:

8. *Exceptions.* No funds apportioned to any city, town or unincorporated place as hereinbefore provided shall be expended (a) as payment for land damages incidental to acquisition of necessary rights of way on non-federal-aid projects; (b) on locations previously improved with state funds under this part; provided, however, that stage construction shall be permitted.

Amend section 3 of part 13 of chapter 90 of the Revised Laws as inserted by section 1 of said bill by striking out said section and inserting in place thereof the following:

3. *Contribution by Towns.* Any city, town or unincorporated place, which applies for Class IV and Class V high-

way aid, shall raise, appropriate or set aside an amount equal to not less than fifteen per cent of the apportionment made to it in Apportionment A, and shall further raise, appropriate and set aside at least one dollar for each dollar apportioned to it in Apportionment B. Failure to raise, appropriate or set aside the amount prescribed for any apportionment in the preceding sentence shall preclude the city, town or unincorporated place from receiving the said apportionment.

Amend section 2 of said bill by striking out said section and inserting in place thereof the following:

2. *Continuation of Road Toll.* Amend section 11 of chapter 137, Laws of 1939, by striking out said section and inserting in place thereof the following: 11. *Motor Vehicle Road Toll.* Beginning with the final payment of the bonds provided for by chapter 1 of the Laws of 1936, the additional road toll of one cent per gallon, provided for in section 6 of said chapter 1, shall be continued in full force and effect. Such additional motor vehicle road toll shall be collected in the manner now provided. A separate account of the additional motor vehicle road toll provided for by this section shall be kept by the state treasurer to which he shall add from time to time, at the direction of the governor acting with the advice and consent of the council, such sums from the separate account provided for by chapter 41 of the Laws of 1929, as amended by chapter 151 of the Laws of 1933, and the separate account provided for by chapter 1 of the Laws of 1936, as are not reasonably necessary for the payment of the bonds authorized by said chapters. The funds so held shall be used to pay the interest and principal of the bonds and notes provided for by this act. To the extent that said funds are insufficient, at any time, to pay the interest and principal due on any bonds and notes provided for by this act the governor shall draw his warrant upon the general highway funds for the payment thereof.

The one cent per gallon road toll imposed herewith shall be paid into a separate account until such time as sufficient funds accrue to pay for the interest and retire the bonds issued under this act. Upon such accrual the one cent per gallon road toll imposed herewith shall continue and shall be thereafter paid into the highway fund.

Amend section 9 of said bill by striking out said section and inserting in place thereof the following:

9. *Road Toll.* In addition to the four cent per gallon of motor vehicle road tolls now imposed pursuant to the provisions of section 11 chapter 137, Laws of 1939, and chapter 120 of the Revised Laws as amended by chapter 65 of the Laws of 1943, chapter 34, Laws of 1945, chapters 138 and 277, Laws of 1947, and chapters 32, 169 and 242, Laws of 1949, a supplemental road toll of one cent per gallon is hereby imposed for the purposes of this act so that from and after the effective date hereof the motor vehicle road tolls of this state shall total five cents per gallon.

The said supplemental road toll shall be used initially to pay the interest and principal due on any bonds and notes issued under this act, or under any previous act pertaining to highway construction, and the remainder shall be paid into the highway fund.

Amend section 10 of said bill by striking out the same and inserting in place thereof the following:

10. *Takes Effect.* The provisions of this act shall take effect upon its passage provided that the collection of the supplemental road toll provided for in section 9 shall not begin until the first day of the month after the passage of this act.

The report was accepted.

The bill, with the amendments pending, was laid upon the table to be printed, under Rule No. 48, until March 15.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 47, An act relative to registration and operation of motor vehicles by persons entering the military service of the United States for national defense and powers of the commissioner of motor vehicles.

House Bill No. 48, An act relative to registration of motor vehicles by amputees.

The message also announced that the Senate concurred with the House of Representatives in the passage of the fol-

lowing entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 81, An act relative to licensing of practical nurses.

Amend said bill by striking out Section 1 of Chapter 257-A of the Revised Laws as inserted by Section 1 of said bill, and by substituting in place thereof the following:

1. *Definition.* A person practises as a "licensed practical nurse" who has a valid license hereunder and performs for compensation or personal profit such duties as are required in the physical care of a convalescent, chronically ill, aged or infirm patient, in assisting a registered professional nurse with care of an acutely ill patient, and in carrying out such medical orders as are prescribed by a licensed physician, which require a knowledge of simple nursing procedure, but do not require the professional knowledge and skills prescribed for professional nursing.

Further amend said bill by striking out section 10 of Chapter 257-A of the Revised Laws as inserted by section 1 of said bill and by substituting in place thereof the following:

10. *Prohibition.* No person shall claim to be a licensed practical nurse in this state unless he has a valid license and annual permit to so practice. Provided, however, that nothing in this act shall be construed to prohibit any person from engaging in practice as a practical nurse without such license and permit so long as he does not claim or represent himself to be a licensed practical nurse nor use the title Licensed Practical Nurse or its abbreviation L.P.N.

On motion of Mr. Pillsbury of Manchester the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

On motion of Mr. Wadleigh, of Milford, business in order at 3:00 o'clock was made in order at the present time and the third readings of bills be read by their titles only, and when the House adjourns today it adjourns to meet Monday at 11:00 o'clock and that when it then adjourns it adjourns to meet Wednesday at 11:00 o'clock.

Third Reading

House Bill No. 327, An act relating to certain fees in the insurance department.

House Bill No. 369, An act relating to the approaches to the General John Sullivan and Alexander Scammell Bridges.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Philbrick of Rye at 12:03 o'clock the House adjourned.

MONDAY, MARCH 12, 1951

MR. JOHN E. BUNTEN
Concord, N. H.

DEAR SIR:

I shall be unable to attend the session on Monday morning. Will you kindly preside for me, and oblige.

Yours respectfully,

LANE DWINELL,
Speaker.

On motion of Mr. Young of Pittsfield the House adjourned.

WEDNESDAY, MARCH 14, 1951

The House met according to adjournment.

Prayer was offered by Rev. Floyd G. Kinsley, Pastor of First Congregational Church, Hampton, N. H.

O God, our help in ages past,
Our hope for years to come,
Our shelter from the stormy blast,
And our eternal home.
Under the shadow of thy wing,
Thy saints have dwelt secure,
Sufficient is thine arm alone
And our defense is sure.

Keep us ever mindful of thy protection, and conscious of the fact that thou art ever standing within the shadow keeping watch above thine own. Make us ever grateful for the freedom with which we are blessed, and ever vigilant to preserve it for those who shall come after us. For our fair state we give thee thanks, and for the privilege of free government. In the affairs of this day may we ever be guided by thy wisdom, that the responsibility placed upon us may be conscientiously and dutifully fulfilled; until all our doing begun, contrived, and ended in thee, may hasten the day when justice and righteousness may ever more abound. And this we pray in the name of Christ. Amen.

Leaves of Absence

Mr. Smith of Loudon was granted leave of absence for the day on account of attending a funeral.

Mr. Crosby of Hillsborough was granted leave of absence for the week on account of important business.

Messrs. Pillsbury of Manchester and Spaulding of Hudson, were granted leaves of absence for the day on account of important business.

Messrs. Knox of Tamworth and Perry of Jaffrey, were granted leaves of absence for the day on account of illness.

Messrs. Bonney of Greenland, Mailloux of Pelham, Gould of Colebrook and Chase of Dover, and Mrs. Studley of Rochester, were granted leaves of absence for the week on account of illness.

Messrs. Rhodes of Walpole and Tilton of Laconia, Ward 4, were granted leaves of absence for the week on account of death in family.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Mr. Brown of Laconia, House Bill No. 386, An act empowering towns and cities to establish a fund for aeronautical purposes. To the Committee on Aviation.

By Mr. Pillsbury of Manchester, House Bill No. 387, An act providing for non-partisan municipal elections in the city of Manchester. To the Delegation from the City of Manchester.

Committee Reports

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 13, An act relating to the practice of physical therapy by registered physical therapists, reported the same, under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 3 of the bill by striking out the last sentence thereof and inserting in place thereof the following:

The applicant for any original registration hereunder shall pay the board a fee of five dollars at the time of making such application.

On motion of Mr. Eldridge of Exeter the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence.

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, to whom was referred House Bill No. 36, An act relative to the charter of The Trustees of the Protestant Episcopal Church in New Hampshire, reported the same, under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1-a as inserted by section 1 of the bill by striking out the first two sentences and inserting in place thereof the following:

The corporation is empowered and authorized to act as trustee of any funds in any way set apart for the promotion of any religious, charitable, or educational object, upon appointment by the courts or upon appointment by individuals or by religious societies; and no bond shall be required of it to insure the faithful performance of the trust, provided, however, that the corporation may require such of its officers having custody of its funds, whether trust or otherwise, to give such bonds as it may deem reasonable. The corporation, unless the instrument creating the trust provides otherwise is authorized to merge any and all funds received or held by it as trustee with other funds held by it into a consolidated investment fund.

On motion of Mr. Turner of Keene the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence.

Mr. Sanborn of Wakefield, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 33, Joint resolution relative to purchase of New Hampshire Digest, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Pickett of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 149, An act relating to suits against stockholders of corporations, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Pickett of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 83, An act relating to county appropriations, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Appropriations.* Amend chapter 44 of the Revised Laws as amended by chapter 142 of the Laws of 1947, by inserting after section 7 the following new sections: 7-a. *Exceeding Appropriations.* No county commissioner shall pay, or agree to pay, or incur any liability for the payment of, any sum of money for which the county convention has made no appropriation, or in excess of any appropriation so made except for the payment of judgments rendered against the county. In the case of an emergency, however, county commissioners may apply to the executive committee, which, after a public hearing, may grant to the county commissioners authority in writing to make such emergency payment. Whenever it appears that the amount appropriated for a specific purpose will not be used in whole or part for such purpose, the county

commissioners may use such sum to augment other appropriations, if necessary, provided the total payments for all purposes do not exceed the total sum of appropriations in any year made by the county convention.

7-b. *Penalty.* Any violations of the provisions of the previous section or of provisions of section 8, chapter 48 of the Revised Laws shall subject the person or persons so violating to section 7 of chapter 45, providing for removal from office. A petition of five resident taxpayers of the county may be made to the superior court for such removal or for removal for official misconduct.

The report was accepted.

The bill, with the amendment pending, was laid upon the table to be printed under Rule 48, to be considered March 16.

Miss Horner of Thornton, for the Committee on Municipal and County Government, to whom was referred House Bill No. 197, An act relating to the appointment of tax collectors, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Libby of Brentwood, for the Committee on Public Health, to whom was referred Senate Bill No. 15, An act relating to quarantine or isolation of a person with a communicable disease in a suitable state institution, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Hart of Laconia, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 275, An act providing for the classification of certain surface waters, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Ransom of Meredith, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 278, An act providing for the classification of certain surface waters, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Blodgett of Concord, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 281, An act providing for the classification of certain surface waters, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Miller of Fitzwilliam, for the Committee on Transportation, to whom was referred House Bill No. 200, An act relative to legal length of motor buses, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Janelle of Nashua moved that the words "ought to pass" be substituted for the resolution of the committee, inexpedient to legislate, and, with the motion pending, the bill be made a special order for Thursday, March 15, at 11:00 o'clock.

The question being on the motion of Mr. Janelle.

(Discussion ensued)

Messrs. Janelle of Nashua and Leach of Rochester spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mrs. Winters of Rochester, for the Committee on Military and Veterans' Affairs, to whom was referred House Joint Resolution No. 24, Joint resolution in favor of Mary E. Spain, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Military and Veterans' Affairs, to whom was referred House Joint Resolution No. 24, Joint resolution in favor of Mary E. Spain, and being unable to agree with the majority, reported the same with the recommendation that the joint resolution ought to pass.

JAMES CARROLL,
EMMET J. FLANAGAN,
A Minority of the Committee.

The report was accepted.

Mr. Flanagan of Dover moved that the report of the minority, "ought to pass," be substituted for the report of the majority, inexpedient to legislate.

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Flanagan of Dover, Betley of Manchester and Janelle of Nashua, spoke in favor of the motion.

Messrs. Black of Bennington, Sanborn of Wakefield and Means of Milan, spoke against the motion.

On a *viva voce* vote the motion to substitute did not prevail.

Mr. Betley of Manchester asked for a division.

A division being had, 90 members having voted in the affirmative, and 212 members having voted in the negative, the motion to substitute did not prevail.

Mr. Roche of Manchester demanded the Yeas and Nays, but subsequently withdrew his demand.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Reconsideration

Mr. Black of Bennington moved that the House reconsider the vote whereby it voted as inexpedient to legislate, House Joint Resolution No. 24.

On a *viva voce* vote the motion to reconsider did not prevail.

Mrs. Winters of Rochester, for the Committee on Military and Veterans' Affairs, to whom was referred House Joint Resolution No. 25, Joint resolution in favor of Leo Devine, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Military and Veterans' Affairs, to whom was referred House Joint Resolution No. 25, Joint resolution in favor of Leo Devine, and being unable to agree with the majority, reported the same

with the recommendation that the joint resolution ought to pass.

JAMES CARROLL,
EMMET J. FLANAGAN,
A Minority of the Committee.

The report was accepted.

Mr. Flanagan of Dover moved that the report of the minority, "ought to pass" be substituted for the report of the majority, "inexpedient to legislate."

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Flanagan of Dover and Betley of Manchester, spoke in favor of the motion.

Mr. Black of Bennington spoke against the motion.

On a *viva voce* vote the motion to substitute the report of the minority, ought to pass, for the report of the majority, inexpedient to legislate, did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Consideration

Mr. Bass of Peterborough moved that the House reconsider the vote whereby it voted as inexpedient to legislate House Joint Resolution No. 25.

On a *viva voce* vote the motion to reconsider did not prevail.

Taken from the Table

Mr. Durell of Portsmouth, for the Committee on Public Works, to whom was referred House Bill No. 140, An Act relative to marking highways for motor vehicle travel, reported the same with the amendment as printed in the Journal of March 7, 1951, and the recommendation that the bill as amended ought to pass.

The question being on the amendment.

(Discussion ensued)

Mr. Ingham of Winchester spoke in favor of the amendments.

On a *viva voce* vote the amendments were adopted, and the bill ordered to a third reading.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled joint resolution sent up from the House of Representatives.

House Joint Resolution No. 15, Joint resolution in favor of Horace L. Wetherbee.

The message also announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bills:

Senate Bill No. 16, An act relating to the powers, duties and membership of the board of medical examiners.

Senate Bill No. 22, An act relating to a five day week for the city of Manchester police department.

Resolution

Mr. Alyward of Walpole offered the following resolution:

Whereas, we have learned of the death of E. Everett Rhodes, Sr., of Walpole, father of E. Everett Rhodes, Jr., Representative from Walpole, therefore be it

Resolved, That we, the members of the House of Representatives, extend our heartfelt sympathy to our fellow member in his bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Representative Rhodes.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended and business in order at 3:00 o'clock was made in order at the present time, and the third reading of bills be read by their titles, and a joint resolution read by its caption, only.

Third Readings

House Bill No. 140, An act relative to marking highways for motor vehicle travel.

House Bill No. 275, An act providing for the classification of certain surface waters.

House Bill No. 278, An act providing for the classification of certain surface waters.

House Bill No. 281, An act providing for the classification of certain surface waters.

House Joint Resolution No. 33, Joint resolution relative to purchase of New Hampshire Digest.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 15, An act relating to quarantine or isolation of a person with a communicable disease in a suitable state institution.

Read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Griffin of Auburn at 12:35 o'clock the House adjourned.

THURSDAY, MARCH 15, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God, give us strength to live another day. Let us not become cowards before its difficulties, or prove recreant to its duties. Keep us sound of heart and mind in spite of what it costs, and help us so to live, that no outward failure can dishearten us or take away the joy of conscious integrity. In our duties as legislators, teach us to differ without animosity, to melt pride into humility, and to turn selfishness into sharing. Give us this day a deeper sense of responsibility, and a clearer vision of the task before us. We ask it in the name of Christ. Amen.

Leaves of Absence

Messrs. Pinkham of Northwood and Spaulding of Hudson, were granted leaves of absence for the day on account of important business.

Mr. Kennedy of Manchester was granted leave of absence for the day on account of illness.

Mr. Perry of Jaffrey was granted leave of absence for the week on account of illness.

Communication

The following communication was ordered printed in the Journal.

March 6, 1951

MR. SPEAKER,
MR. PRESIDENT,
MEMBERS OF THE GENERAL COURT:

Transmitted herewith for your consideration is a copy of a resolution adopted by the Governor and Council on January 3, 1951, in accordance with the provisions of a resolution passed by the General Court on May 18, 1950.

Respectfully submitted,

HARRY E. JACKSON,
Deputy Secretary of State.

Whereas, pursuant to a resolution adopted May 18, 1950 by the General Court in Special Session, requesting the Governor and Council to study and report appropriate means of preserving the memory of John Gilbert Winant, the Governor with the advice and consent of the Council on May 26, 1950 appointed a sub-committee of its own members consisting of the Honorable Councilor from the Second District, Guy Smart, as chairman, the Honorable Councilor from the Third District, C. Edward Bourassa, and the Honorable Councilor from the Fifth District, Charles F. Stafford, authorizing the said sub-committee to add to its membership a sufficient number of public members, and thereupon to consider together a suitable report to be made to the Governor and Council, following a public hearing, if such were deemed advisable, on the basis of which a recommendation might be made to the General Court pursuant to the foregoing resolution, and

Whereas, the sub-committee then met and added to its members Dr. James Powers of Manchester, Honorable Robert W. Upton of Concord, Honorable James C. MacLeod of Littleton, and Dr. Harry W. Savage of Lebanon, and

Whereas, a public hearing was called for the purpose of receiving testimony from any person desiring to make recom-

mendations concerning the form and style of such memorial and,

Whereas, upon further conferences of the Committee, a series of recommendations were approved which, in the judgment of the Committee, are appropriate for recommending to the General Court, to wit:

(1) The establishment by a special act of the legislature of a board of trustees or other public agency for the administration of a permanent fund or foundation for educational or charitable purposes, provided sufficient gifts are found to be available or in prospect to assure a substantial income. The purposes of such a foundation would necessarily be determined by the legislature after hearing interested parties. We especially recommend for consideration the establishment of sustaining scholarships at New Hampshire University with special emphasis upon economics and social welfare, and

(2) a suitable portrait of Governor Winant placed conspicuously within the State House with a bronze placque setting forth his distinguished public service.

J. GUY SMART	ROBERT W. UPTON
JAMES J. POWERS	HARRY P. SMART
HARRY W. SAVAGE	C. EDWARD BOURASSA
JAMES C. MacLEOD	CHARLES F. STAFFORD

Now Therefore Be it Resolved That:

The Governor and Council, in session this day, approved said recommendations as befitting the purposes hereinbefore enumerated, pursuant to said resolution of the General Court, and

Be It Further Resolved That:

Said recommendations be transmitted to the 1951 regular session of the General Court, for such consideration as the Legislature may deem fitting.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Rules Committee, House Bill No. 388, An act relative to activities of the forestry and recreation commission in

connection with transfer of functions thereto by the reorganization act. To the Committee on Resources, Recreation and Development.

By the Rules Committee, House Bill No. 389. An act relative to the purchase of insurance for the forestry and recreation commission building at Franconia Notch, New Hampshire. To the Committee on Executive Departments and Administration.

By the Rules Committee, House Bill No. 390, An act relative to restricted revenue laws. To the Committee on Appropriations.

By the Rules Committee, House Bill No. 391, An act relative to unexpended balances of amounts appropriated by capital budget chapters 210 of the Laws of 1945 or chapter 294 of the Laws of 1947. To the Committee on Appropriations.

By the Rules Committee, House Bill No. 392, An act relative to use of the flag of the United Nations. To the Committee on Judiciary.

Engrossed Bills Report

Mrs. Corliss of Manchester, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolution:

House Bill No. 37, An act relating to taxation of county farms.

House Bill No. 45, An act to dissolve the Sullivan County Railroad and Springfield Electric Railway Company.

House Bill No. 48, An act relative to registration of motor vehicles by amputees.

House Bill No. 53, An act relative to purity of foods and drugs procedures by state department of health in connection therewith.

House Bill No. 81, An act relative to the licensing of practical nurses.

House Bill No. 108, An act to incorporate The Invalids' Home.

Senate Bill No. 16, An act relating to the powers, duties and membership of the board of medical examiners.

Senate Bill No. 22, An act relative to a five-day week for the city of Manchester police department.

House Joint Resolution No. 15, Joint resolution in favor of Horace L. Wetherbee.

The report was accepted.

Committee Reports

Mr. Griffin of Lincoln, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 320, An act relative to fees for registration as legislative counsel, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Holmes of Amherst, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 347, An act relative to additional benefits under the policemen's retirement system, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Foote of Portsmouth, for the Committee on Liquor Laws, to whom was referred House Bill No. 101, An act relative to local option on sale of liquor and beverages in towns and cities, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Libby of Brentwood, for the Committee on Public Health, to whom was referred House Bill No. 117, An act to regulate the practice of optometry, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out section 7 thereof and renumbering the remaining sections in proper sequence.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Eldridge of Exeter spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Lorden of Enfield, for the Committee on Public Health, to whom was referred House Bill No. 348, An act relating to the licensing of plumbers, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee, inexpedient to legislate.

Mr. Martel of Manchester moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Messrs. Martel of Manchester and Eldredge of Exeter, spoke in favor of the motion.

On a *viva voce* vote the bill was indefinitely postponed.

Miss Horner of Thornton, for the Committee on Municipal and County Government, to whom was referred House Bill No. 385, An act to validate certain proceedings of Plymouth Village Fire District, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Taken from the Table Under Rule No. 48

Mrs. Kendall of Exeter, for the Committee on Insurance, to whom was referred House Bill No. 210, An act relating to accident and sickness policy provisions, reported the same with the amendment as printed in the Journal of March 8, 1951, and the recommendation that the bill as amended ought to pass.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Messrs. Fuller of Hanover and Rathbone of Exeter, and Mrs. Kendall of Exeter, spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Remick of Tamworth, for the Joint Committee on Public Works and Ways and Means, to whom was referred House Bill No. 137, An act relative to Class I, Class IV and Class V highways, reported the same with the amendment as printed in the March 8th Journal, and the recommendation that the bill as amended ought to pass.

The question being on the amendment.

(Discussion ensued)

Messrs. Ingham of Winchester, Pickett of Keene, Sanborn of Wakefield, Ferguson of Pittsfield and Scamman of Stratham spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill was referred to the Committee on Appropriations, under the rules.

Special Order

Mr. Janelle of Nashua called for the special order.

It being, House Bill No. 200, An act relative to legal length of motor buses.

The question being on motion to substitute the words, ought to pass, for the report of the committee, inexpedient to legislate.

(Discussion ensued)

Messrs. Janelle of Nashua, Cavanaugh of Manchester, Wadleigh of Milford, Barry of Wilton, Rathbone of Exeter, and Pickett of Keene, and Mrs. Cooper of Nashua and Mrs. Morey of Hart's Location, spoke in favor of the motion.

Mr. Leach of Rochester spoke against the motion.

Mr. Lea of Pembroke moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute the words, "ought to pass" for the report of the committee, inexpedient to legislate.

On a *viva voce* vote the motion to substitute prevailed.

Mr. Pickett of Keene offered the following amendment:

Amend House Bill No. 200 by adding to section 1 of said bill the following: "provided further, that said type motor bus

may be operated only on those highways specifically designated by the Commissioner of motor vehicles."

The question being on the amendment.

(Discussion ensued)

Mr. Pickett of Keene spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Pickett of Keene moved that the rules be suspended and the third reading of House Bill No. 200 be put upon its third reading and final passage, by title, at the present time.

On a *viva voce* vote the motion prevailed.

The bill was read a third time and passed, and sent to the Senate for concurrence.

Reconsideration

Mr. Janelle of Nashua moved that the House reconsider the vote whereby it passed House Bill No. 200.

On a *viva voce* vote the motion to reconsider did not prevail.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to non-concur with the House of Representatives in the passage of the following entitled bill and joint resolution sent up from the House of Representatives:

House Bill No. 179, An act relative to town officers removed from office.

House Joint Resolution No. 21, Joint resolution relative to revision of poll and property tax laws.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 127, An act relating to rights of surviving husband and wife.

House Bill No. 175, An act authorizing the town of Gilmanton to issue refunding notes or bonds.

House Bill No. 303, An act changing the name of The Charles F. and Mary E. Folsom Home of Exeter.

The message further announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 97, An act relating to trustees and directors of savings banks, and the President has appointed as members of such committee, on the part of the Senate, Senators Tarlson and Hartnett.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 40, An act relating to notice by administrators to parties in pending actions.

Senator Bill No. 41, An act relative to clerk hire in the office of the Hillsborough county sheriff.

Senate Bills Read and Referred

Senate Bill No. 40, An act relating to notice by administrators to parties in pending actions.

Read a first and second time, and referred to the Committee on Judiciary.

Senate Bill No. 41, An act relative to clerk hire in the office of the Hillsborough county sheriff.

Read a first and second time, and referred to a special committee consisting of the delegation from Hillsborough County.

Resolutions

Mr. Matthews of New Hampton offered the following resolution:

Whereas, we have learned with sorrow of the death of Frank P. Tilton of Laconia, who served as President of the Senate from 1927-1929 and who was the father of Robert Tilton, our fellow representative, and

Whereas, the long time membership of said deceased in the service of the state and his leadership in civic positions has been distinguished not only by his accomplishments but by his courtesy, efficiency and fairness in all his dealings, therefore be it

Resolved, That we pay well deserved tribute to the said former President of the Senate, and be it further

Resolved, That we extend our heartfelt sympathy to his

family in its bereavement and that a copy of these resolutions be sent to the members thereof.

On a *viva voce* vote the resolution was adopted.

Mr. O'Neil of Concord offered the following resolution:

Whereas, we have learned of the death of Frank G. Kimball of Farmington, father of F. Gordon Kimball, former State Treasurer, therefore be it

Resolved, That we, the members of the House of Representatives, hereby extend our heartfelt sympathy to F. Gordon Kimball and the family of the deceased in their bereavement, and be it further

Resolved, That the Clerk of the House transmit to Mr. Kimball a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford, business in order at 3:00 o'clock was made in order at the present time, and the rules were suspended, and the third reading of bills was read by their titles only.

Third Readings

House Bill No. 117, An act to regulate the practice of optometry.

House Bill No. 210, An act relating to accident and sickness policy provisions.

House Bill No. 320, An act relative to fees for registration as legislative counsel.

House Bill No. 347, An act relative to additional benefits under the policemen's retirement system.

House Bill No. 385, An act to validate certain proceedings of Plymouth Village Fire District.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of Mr. Keller of Laconia at 1:25 o'clock the House adjourned.

FRIDAY, MARCH 16, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

Almighty God, whose judgment of our deeds is just and right, remind us always that thou art mindful of those things we leave undone that we should have done, as well as the things we do that we should not do. Keep us free from the sin of neglect; give us courage to stand firmly for the right as we see and understand the right when it would be easier to do nothing; take from us the spirit of neutrality when we stand face to face with important issues of the day that, when the work of the day is over, we shall not have to say: "I have left undone the things I ought to have done." In the name of Christ. Amen.

Leaves of Absence

Mr. Peaslee of Merrimack was granted leave of absence for the day on account of important business.

Messrs. Brown of Laconia and Carter of Cornish, were granted leaves of absence for the day on account of illness.

Engrossed Bills Report

Mrs. Landers of Keene, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 303, An act changing the name of the Charles F. and Mary E. Folsom Home of Exeter.

House Bill No. 175, An act authorizing the town of Gilmanton to issue refunding notes or bonds.

House Bill No. 36, An act relative to the charter of the Trustees of the Protestant Episcopal Church in New Hampshire.

Senate Bill No. 13, An act relating to the practice of physical therapy by registered physical therapists.

The report was accepted.

Committee Reports

Mr. Scamman of Stratham, for the Committee on Appropriations, to whom was referred House Bill No. 287, An act

relative to construction, equipment and furnishings of a new state office building, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The question being on the recommendation of the committee.

(Discussion ensued)

Mr. Sanborn of Wakefield explained the bill.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Jackson of Dublin, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 280, An act providing for the classification of certain surface waters, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Hart of Laconia, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 354, An act ratifying a proposed compact with certain states specified providing for abatement of existing pollution and control of future pollution of interstate waters, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill referred to the Committee on Appropriations under the rules.

Miss Horner of Thornton, for the Committee on Municipal and County Government, to whom was referred Senate Bill No. 27, An act legalizing a special town meeting in the town of Bristol, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Green of Rollinsford, for the Committee on Municipal and County Government, to whom was referred House Bill No. 154, An act relating to the clerk's fee for issuing certificate of conformity to requirements of marriage intentions notice, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Williams of Grafton, for the Committee on Public Welfare and State Institutions, to whom was referred House Bill No. 89, An act relative to qualifications for old age assistance, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Martin of Littleton, for the Committee on Public Welfare and State Institutions, to whom was referred House Bill No. 297, An act relative to eligibility for old age assistance of certain persons, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill referred to the Committee on Appropriations under the rules.

Taken from the Table

Mr. Pickett of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 83, An act relating to county appropriations, reported the same with the amendment, as printed in the Journal on March 14, 1951, and the recommendation that the bill, as amended, ought to pass.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Perkins of Concord explained the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 73, An act relating to duties of selectmen to make reports to tax commission and of school district clerk to report to selectmen.

House Bill No. 139, An act relative to classification of highways.

House Bill No. 141, An act relative to snow fences.

House Bill No. 328, An act relating to the annual report of the insurance commissioner.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

Senate Bill No. 13, An act relating to the practice of physical therapy by registered physical therapists.

House Bill No. 36, An act relative to the charter of the trustees of the Protestant Episcopal Church in New Hampshire.

The message further announced that the Senate had voted to recall from the Governor, for further consideration, House Bill No. 47, An act relative to registration and operation of motor vehicles by persons entering the military service of the United States for national defense and powers of the Commissioner of Motor Vehicles.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives: Senate Bill No. 9, An act relating to competitive bidding.

Senate Bill Read and Referred

Senate Bill No. 9, An act relating to competitive bidding.

Read a first and second time, and referred to the Committee on Executive Departments and Administration.

Vote Rescinded

Mr. Scamman of Stratham moved that the vote whereby House Bill No. 89 was ordered to a third reading be rescinded.

The question being on the motion of Mr. Scamman.

(Discussion ensued)

Mr. Scamman of Stratham spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

The bill was referred to the Committee on Appropriations under the rules.

Resolution

Mr. Ecker of Manchester offered the following resolution:

Whereas, St. Patrick's Day does not fall upon a legislative day this year, and

Whereas, throughout the world tomorrow men and women will wear the color of the shamrock in honor of the good St. Patrick and

Whereas, on this occasion the members of this House of Representatives wish to honor the descendants of Ireland's finest, and

Whereas, were the good Saint still on earth we are sure he would be in favor of a United Nations, therefore be it

Resolved, That a committee, consisting of John J. Kearns of Manchester, Paul G. Karkavelas of Dover, Angeline M. St. Pierre of Rochester, Hilda C. F. Brungot of Berlin, Stanley Betley of Manchester, Sam. J. Nahil of Claremont, Oscar E. Getz of Manchester, and Elmer S. Tilton of Laconia, be appointed to confer in the interests of good fellowship and a better understanding between the nations as represented in this State and, be it further

Resolved, That when the House adjourns today it be in honor of the great St. Patrick.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford, business in order at 3 o'clock, was made in order at the present time, and the rules were suspended, and the third reading of bills was read by their titles only, and when the House adjourns today it adjourns to meet Tuesday morning, at 11:00 o'clock.

Third Readings

House Bill No. 83, An act relating to county appropriations.

House Bill No. 154, An act relating to the clerk's fee for issuing certificate of conformity to requirements of marriage intentions notice.

House Bill No. 280, An act providing for the classification of certain surface waters.

House Bill No. 287, An act relative to construction, equipment and furnishings of a new state office building.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 27, An act legalizing a special town meeting in the town of Bristol.

Read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Sawyer of Woodstock at 12:05 o'clock the House adjourned.

TUESDAY, MARCH 20, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God of love and mercy toward all mankind, in the round of Christian thought and devotion we have come to another Holy Week. Help us at this time to more fully fathom the fulness of the meaning of this season. May that great and unspeakable sacrifice of so long ago, inspire us to a life of unselfish service and devotion to Thee and to mankind today. May the words of Him who said: "Father, forgive them for they know not what they do," enkindle in us that much needed spirit of forgiveness; through the same, Jesus Christ our Lord. Amen.

Leaves of Absence

Messrs. Janelle of Nashua and Loiselle of Concord were granted leaves of absence for the day on account of important business.

Messrs. Collins of Keene, Dame of Portsmouth, Brown of Laconia and Perry of Jaffrey, were granted leaves of absence for the day on account of illness.

Mr. Smith of Loudon was granted leave of absence for Tuesday and Wednesday on account of important business.

Mr. McNeil of Kingston was granted leave of absence for the week on account of illness.

Engrossed Bills

Mrs. Shields of Berlin, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 127, An act relating to rights of surviving husband and wife.

House Bill No. 139, An act relative to classification of highways.

House Bill No. 141, An act relative to snow fences.

House Bill No. 157, An act to relieve members of the police force of the city of Nashua from police duty at certain times.

House Bill No. 276, An act providing for the classification of certain surface waters.

House Bill No. 328, An act relating to the annual report of the insurance commissioner.

House Bill No. 350, An act relative to the definition of total unemployment, the weekly benefit amount for total unemployment and maximum total amount of benefits payable during a benefit year, and also relative to benefit eligibility conditions, under the unemployment compensation law.

Senate Bill No. 15, An act relating to quarantine or isolation of a person with a communicable disease in a suitable institution.

Senate Bill No. 27, An act legalizing a special town meeting in the town of Bristol.

The report was accepted.

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, to whom was referred House Bill No. 73, An act relating to duties of selectmen to make reports to tax commission and of school district clerk to report to selectmen, reported the same, under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 2 of said bill by striking out the first four lines and inserting in place thereof the following:

2. *School District.* Amend section 19 of chapter 139 of the Revised Laws by striking out said section and inserting in place thereof the following: 19. *Clerk.* The

On motion of Mr. Evans of Lancaster, the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence.

Committee Reports

Mr. Rathbun of Harrisville, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 379, An act relative to the registration of wood processing mills, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Registration.* Amend section 58, chapter 233 of the

Revised Laws as amended by section 1, chapter 82, Laws of 1949, by striking out said section and inserting in place thereof the following: 58. *Registration.* No person shall in any one year operate or cause to be operated any mill processing lumber or forest products within the following classes until said mill shall be registered by the state forestry and recreation commission. Class One: All commercial permanent and portable mills wherever located sawing or otherwise processing logs, bolts or other primary forest products; also planing mills and other remanufacturing plants utilizing wood products that are located in or near woodlands as defined in section 31 of chapter 241 of the Revised Laws or where fire may be communicated to such lands. Class Two: All non-commercial mills operated as an incidental part of a farm operation, located in or near woodlands as defined in said section 31. Application for registration shall be in writing, giving the name of owner or owners, the location and type of mill, and such other pertinent information as the commission may require.

The report was accepted.

The bill, with the amendment pending, was laid upon the table to be printed under Rule No. 48, to be taken up Thursday, March 22.

Mr. Doonan of Greenville, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 373, An act relating to the method in which town fire bills shall be paid, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Towns Responsibility.* Amend section 25 of chapter 233 of the Revised Laws by striking out said section and inserting in place thereof the following: 25. *Statement.* The warden shall render to the selectmen or the mayor or the proper city department, on blanks prepared by the state forester, a statement of said expenses incurred in said town or city, or in any other town or city which had requested aid therefrom, as soon as possible after they are incurred, showing in detail the amount and character of the services performed, the exact duration thereof, and all disbursements made by the warden or wardens, and bearing the approval of the warden,

and of the deputy warden if said expenses were incurred by his authority.

Amend section 2 of said bill by inserting after the figure "26" the words and figures, as amended by chapter 89, Laws of 1949, and by striking out the figure "25" and inserting in place thereof the figure, 26, so that said section as amended shall read as follows: 2. *Reimbursements for Bills Paid.* Further amend said chapter 233 by adding after section 26, as amended by chapter 89, Laws of 1949, the following new section: 26-a. *Payment of Bills to Another Town.* Bills incurred in rendering aid to another town after having been paid in the first instance as prescribed in section 26 shall be presented for reimbursement to the town receiving the aid.

The report was accepted.

The reading of the amendment having commenced, Mr. Dort of Chesterfield moved that the rules be suspended, and further reading of the amendment be dispensed with.

The question being on the motion of Mr. Dort.

(Discussion ensued)

Mr. Dort of Chesterfield spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

The amendment was adopted, and the bill ordered to a third reading.

Mr. Metcalf of Tilton, for the Committee on Fish and Game, to whom was referred House Bill No. 158, An act relating to bait dealers' licenses, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 2 of the bill by striking out the words "upon its passage" and insert in place thereof the following, July 1, 1951, so that said section as amended shall read as follows:

2. *Takes Effect.* This act shall take effect July 1, 1951.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Metcalf of Tilton, for the Committee on Fish and Game, to whom was referred House Bill No. 170, An act relating to federal aid for fish restoration projects, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill referred to the Committee on Appropriations under the rules.

Mr. Metcalf of Tilton, for the Committee on Fish and Game, to whom was referred House Bill No. 172, An act relating to possession of jacks, etc., reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by adding a new section as follows:

Takes Effect. This act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Moore of Bradford, for the Committee on Public Works, to whom was referred House Bill No. 289, An act relating to powers of the highway commissioner, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Burke of Franklin, for the Committee on Public Works, to whom was referred House Bill No. 324, An act naming the William E. Chandler highway, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Shaheen of Dover, for the Special Committee consisting of the members from the City of Dover, to whom was referred House Bill No. 110, An act relative to the salary of the special justice of the municipal court of Dover, reported the same with the following amendment, and the recommendation that the bill, as amended, ought to pass.

Amend section 1 of the bill by striking out in the fourth and thirteenth line the word "five" and inserting in place thereof the word, three, so that said section, as amended, shall read as follows:

1. *Dover Municipal Court.* Amend section 4 of chapter 377 of the Revised Laws as amended by chapters 179 and 260 of the Laws of 1947 by inserting after the words "fifteen hundred dollars" in the ninth line the words, of Dover three hundred dollars, so that said section as amended shall read as follows: 4. *Compensation of Special Justices.* The special

justice and justice of the peace requested to sit owing to the disqualification of the justice and special justice shall be paid, from the treasury of the city or town wherein said court is located, three dollars a day for each day or part thereof that he shall serve in said capacity; provided, that the annual salaries of the special justices of the municipal courts of the following cities and town shall be as follows, of Manchester eighteen hundred dollars, of Nashua fifteen hundred dollars, of Dover three hundred dollars, of Concord five hundred dollars, of Portsmouth four hundred dollars, of Laconia two hundred dollars, and of Hampton one hundred and fifty dollars, to be paid by said cities and town, respectively, quarterly, and shall be in lieu of any other compensation or fees to such justices.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Locke of Dover spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Felker of Dover offered the following amendment:

Amend the bill by striking out section 1 and inserting in place thereof the following:

1. *Dover Municipal Court.* Amend section 4 of chapter 377 of the Revised Laws as amended by chapters 179 and 260 of the Laws of 1947 by striking out the word "and" in the twelfth line; further amend by inserting after the word "dollars" in the thirteenth line the words, and of Dover seven dollars and fifty cents a day for each day or part thereof that he shall serve in said capacity, so that said section as amended shall read as follows: 4. *Compensation of Special Justices.* The special justice and justice of the peace requested to sit owing to the disqualification of the justice and special justice shall be paid, from the treasury of the city or town wherein said court is located, three dollars a day for each day or part thereof that he shall serve in said capacity; provided, that the annual salaries of the special justices of the municipal courts of the following cities and town shall be as follows, of Manchester eighteen hundred dollars, of Nashua fifteen hundred dollars, of Concord five hundred dollars, of Portsmouth four hundred dollars, of Laconia two hundred dollars, of Dover seven dollars and fifty cents a day for each day or part thereof

that he shall serve in said capacity, and of Hampton one hundred and fifty dollars, to be paid by said cities and town, respectively, quarterly, and shall be in lieu of any other compensation or fees to such justices.

The question being on the amendment.

(Discussion ensued)

Mr. Felker of Dover spoke in favor of the amendment.

Mr. Flanagan of Dover spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

The bill was ordered to a third reading.

Mr. Bass of Peterborough, for the Committee on Ways and Means, to whom was referred House Bill No. 74, An act creating a state lottery, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Ways and Means, to whom was referred House Bill No. 74, An act creating a state lottery, and being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

DENIS F. CASEY,
JOHN KEARNS,
A Minority of the Committee.

The reports were accepted.

Mr. Geisel of Manchester moved that the report of the minority, ought to pass, be substituted for the report of the majority, inexpedient to legislate.

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Geisel of Manchester, Marden of Chichester, Pickett of Keene, Gingras of Ashland, Lea of Pembroke, Kearns of Manchester and Chandler of Warner spoke in favor of the motion.

Messrs. Bass of Peterborough, Peever of Salem, Plumer of Bristol, Wadleigh of Milford, Bascom of Acworth and Sanborn of Wakefield and Mrs. Brooks of Claremont spoke against the motion.

Mr. Kennedy of Manchester moved that the bill with the motion to substitute pending, be laid upon the table.

On a *viva voce* vote the chair was in doubt.

Mr. Geisel of Manchester demanded the yeas and nays but subsequently withdrew his demand and asked for a division.

A division being had, 172 members having voted in the affirmative and 180 members having voted in the negative, the motion to lay upon the table did not prevail.

Mr. Geisel of Manchester demanded the yeas and nays but subsequently withdrew his demand.

Mr. Downey of Manchester demanded the yeas and nays and the roll was called with the following result:

Yeas, 169

HILLSBOROUGH COUNTY: French of Bedford, Farwell, Crosby, Sterling, Spaulding of Hudson, Kennedy of Manchester, Pettigrew, Danforth, Geisel, Dwyer, Sweeney, Fitzgerald, Kean, Betley, Ellis, Healy of Manchester, Ward 5, Kazakis, Proulx, Shea of Manchester, Casey, Cavanaugh, Clancy, Ecker, Healy of Manchester, Ward 6, Zyla, Downey, Gorham, Marcoux, Sullivan of Manchester, Constant, Delisle, Kane, Roy of Manchester, Cary, Gagnon, Auger, Getz, Kearns, Roche, Roukey, Laflamme, Lareau, Soucy, Vaillancourt, Daniel, Gauthier, Thibodeau, Cannon, Donnelly, Wedick, Falconer, Nelson, Boire, Belcourt, Maynard of Nashua, Ward 3, Brosnahan, Cote, Marquis, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Chartrain, Dupont, Ryan, Cormier, Grandmaison, Pelletier of Nashua, Ward 8, Pelletier of Nashua, Ward 9, Locke of New Boston, Ashley of New Ipswich, Barry, Hines.

CHESHIRE COUNTY: Burnham, Walker, O'Neil of Keene, Pickett, Walsh, Lang, Thompson of Winchester.

SULLIVAN COUNTY: Angus, Nahil, Marcotte of Claremont, Gamsby, Callum.

GRAFTON COUNTY: Gingras, Chamberlin of Bath, Harrington, Clarke of Canaan, Avery, Lorden, Ashley of Lebanon, Jones, Gardner, Anderson, Gilbert.

COOS COUNTY: Hinchey, Henderson of Berlin, Sheridan, Brungot, Morel, Sullivan of Berlin, Bouchard, Fontaine, Roy of Berlin, Rines, Kimball, Simonds, Means, Placy.

ROCKINGHAM COUNTY: Libby, Wastcoat, Lindahl, Cushing, Kendall, Richards, LeComte, Ring, Sheehy, Labranche of Newmarket, Sewall, Dondero, Foote, Leary, Smart, Ingraham of Portsmouth, Durkee.

STRAFFORD COUNTY: Chase of Dover, Stackpole, Marcotte of Dover, Shaheen, Carroll, Locke of Dover, Flanagan, Horne, Rolfe, Lacasse, St. Pierre, Leach, Lagueux, Letourneau, Cater of Somersworth.

BELKNAP COUNTY: Boutin, Osborne, Normandin, O'Shan.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Baron of Allenstown, Vogel, Marden, Dodge, Ferrin, Corbett, O'Neil of Concord, Sawyer of Concord, Towle, Chase of Franklin, Burke, Ayotte, Charland, Mason, Beale, DuDevoir, Milligan, Lea, Payeur, Young, Chandler, Sawyer of Wilmot.

Nays, 188

HILLSBOROUGH COUNTY: Holmes, Wilson, Black, Hambleton, Poore, Reed, Doonan, English, Goodwin, Abbott, Cummings of Lyndeborough, Corliss, Pillsbury, Martel, Peaslee, Wadleigh, Cooper, Ramsdell, Underhill, Record, Mailloux, Bass, Cummings of Peterborough, French of Weare.

CHESHIRE COUNTY: Dort, Jackson, Miller of Fitzwilliam, Rathbun of Harrisville, Spofford, Kirk, Landers, Wheeler, Bennett, Erwin, Codding, Turner, Hall of Marlborough, Sherwin, Kershaw, Worcester, Aylward, Rhodes, Billings, Ingham of Winchester.

SULLIVAN COUNTY: Bascom, Frizzell, Brooks, Converse, Bissonnet, Millar of Claremont, Baron of Claremont, Carter of Cornish, Bailey, Perry of Newport, Powell, Vaughan, Pierce.

GRAFTON COUNTY: Plumer, Willey, Grass, Williams, Atkins, Fuller, Holden of Hanover, Chamberlin of Haverhill, McMeekin, Sleeper, Adams, Cole, Randall, Collins of Lisbon, Kelley, Martin of Littleton, Pushee, Burrill, Skinner, Howard, Bell, Barney, Horner, Woodward, Sawyer of Woodstock.

COOS COUNTY: Shields, Cummings of Colebrook, Oakes, Emerson, Fraser, Evans, Christopher, Ellingwood, Hilliard, Stinson, Taylor.

ROCKINGHAM COUNTY: Tuttle, Griffin of Auburn, Hazelton, Darbe, Clark of Derry, Hepworth, Freeman of East Kingston, Fecteau, Eldredge, Rathbone of Exeter, Bonney, Putnam, Merrill, Thurlow, Eastman, Hall of Londonderry, McCaffery, Wells, Carter of North Hampton, Pinkham, McDaniel, Colcord, Sukeforth, Durell, Yeaton, Bluitte, Philbrick, Haigh, Peever, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Felker, Fellows, Crandall, Henderson of Durham, Caldwell, Dustin, Maxfield, Winters, Studley, Fernald, Green of Rollinsford, Malley, Brown of Strafford.

BELKNAP COUNTY: Perkins of Alton, McAllister, Weeks, Hart of Laconia, Tilton of Laconia, Ward 3, Keller, Tilton of Laconia, Ward 4, Thompson of Laconia, Ransom, Smith of Meredith, Matthews, Atwood, Metcalf.

CARROLL COUNTY: Benson, Downs, Hill, Morey, Nickerson, Lamprey, Moulton, Knox, Remick, Hodgdon, Sanborn, Hart of Wolfeboro, McHugh.

MERRIMACK COUNTY: Putney, Ellsworth, Moore, Tebbetts, Blodgett of Concord, Ward 4, Kennedy of Concord, Tobey, Hurd, Saltmarsh, Perkins of Concord, Tilton of Concord, Brunel, Bunten, Freeman of Concord, Greene of Concord, Blodgett of Concord, Ward 8, Nawn, Sargent, Hadley, Maxwell, Davis of Hopkinton, Lamson, Wilman, Ferguson, Powell.

Mr. Nicoll of Bow, voting Yes, paired with Mr. Washburn of Bartlett, voting No.

And the motion to lay upon the table did not prevail.

Mr. Peever of Salem moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Messrs. Jones of Lebanon and Payeur of Pembroke spoke against the motion.

Mr. Bass of Peterborough moved the previous question. The question being: Shall the main question now be put?

On a *viva voce* vote the previous question was ordered. The question being on the motion to indefinitely postpone.

Mr. Gagnon of Manchester moved that the House adjourn.

On a *viva voce* vote the motion to adjourn did not prevail.

Mr. Gagnon of Manchester asked for a division.

A division being had, the vote was declared manifestly in the negative and the motion to adjourn did not prevail.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the motion to indefinitely postpone prevailed.

Mr. Gauthier of Manchester asked for a division.

Mr. Gagnon of Manchester demanded the Yeas and Nays but subsequently withdrew his demand.

Mrs. Goodwin of Hollis demanded the Yeas and Nays and the roll was called, with the following result:

Yeas, 208

HILLSBOROUGH COUNTY: Holmes, Wilson, Black, Hambleton, Poore, Reed, Doonan, English, Crosby, Sterling, Goodwin, Abbott, Cummings of Lyndeborough, Corliss, Danforth, Pillsbury, Martel, Peaslee, Falconer, Nelson, Wadleigh, Cooper, Ramsdell, Underhill, Record, Mailloux, Bass, Cummings of Peterborough, French of Weare, Hines.

CHESHIRE COUNTY: Dort, Jackson, Miller of Fitzwilliam, Rathbun of Harrisville, Walker, Spofford, Kirk, Landers, Wheeler, Bennett, Erwin, Codding, Turner, Hall of Marlborough, Sherwin, Kershaw, Worcester, Aylward, Rhodes, Billings, Ingham of Winchester.

SULLIVAN COUNTY: Bascom, Frizzell, Brooks, Converse, Bissonnett, Millar of Claremont, Baron of Claremont, Carter of Cornish, Bailey, Perry of Newport, Rowell, Vaughan, Pierce.

GRAFTON COUNTY: Plumer, Willey, Grass, Williams, Atkins, Fuller, Holden of Hanover, Chamberlin of Haverhill, McMeekin, Sleeper, Adams, Ashley of Lebanon, Cole, Randall, Collins of Lisbon, Kelley, Martin of Littleton, Pushee, Burrill, Skinner, Howard, Bell, Huckins, Barney, Horner, Woodward, Sawyer of Woodstock.

COOS COUNTY: Shields, Cummings of Colebrook, Oakes, Emerson, Fraser, Christopher, Ellingwood, Hilliard, Stinson, Taylor.

ROCKINGHAM COUNTY: Tuttle, Griffin of Auburn, Hazelton, Darbe, Lindahl, Clark of Derry, Hepworth, Freeman of East Kingston, Fecteau, Eldredge, Rathbone of Exeter, Bonney, Putnam, Merrill, Ring, Thurlow, Eastman, Hall of Londonderry, McCaffery, Wells, Carter of No. Hampton, Pinkham, McDaniel, Colcord, Sukeforth, Durell, Foote, Yeaton, Leary, Smart, Ingraham of Portsmouth, Bluitte, Philbrick, Haigh, Peever, Durkee, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Chase of Dover, Karkavelas, Felker, Fellows, Crandall, Locke of Dover, Henderson of Durham, Caldwell, Dustin, Maxfield, Winters, St. Pierre, Studley, Fernald, Leach, Green of Rollinsford, Malley, Brown of Strafford.

BELKNAP COUNTY: Perkins of Alton, McAllister, Weeks, Osborne, Hart of Laconia, Tilton of Laconia, Ward 3, Keller, Tilton of Laconia, Ward 4, Thompson of Laconia, Ransom, Smith of Meredith, Matthews, Atwood, Metcalf.

CARROLL COUNTY: Washburn, Benson, Downs, Hill, Morey, Nickerson, Lamprey, Moulton, Knox, Remick, Hodgdon, Sanborn, Hart of Wolfeboro, McHugh.

MERRIMACK COUNTY: Putney, Moore, Vogel, Tebbetts, Blodgett of Concord, Ward 4, Kennedy of Concord, Tobey, Hurd, Perkins of Concord, Saltmarsh, Tilton of Concord, Brunel, Bunten, Freeman of Concord, Greene of Concord, Blodgett of Concord, Ward 8, Nawn, Sargent, Hadley, Towle, Ayotte, Maxwell, Davis of Hopkinton, Milligan, Lamson, Wilman, Ferguson, Young, Powell.

Nays, 138

HILLSBOROUGH COUNTY: French of Bedford, Farwell, Spaulding of Hudson, Kennedy of Manchester, Pettigrew, Geisel, Dwyer, Sweeney, Fitzgerald, Kean, Betley, Ellis, Healy of Manchester, Ward 5, Proulx, Shea of Manchester, Casey, Cavanaugh, Clancy, Ecker, Healy of Manchester, Ward 6, Zyla, Downey, Gorham, Marcoux, Sullivan of Manchester, Constant, Delisle, Kane, Roy of Manchester, Cary, Gagnon, Auger, Getz, Kearns, Roche, Roukey, LaFlamme, Lareau, Soucy, Vaillancourt, Daniel, Gauthier, Thibodeau, Cannon, Donnelly, Wedick, Boire, Belcourt, Brosnahan, Cote, Marquis, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of

Nashua, Chartrain, Dupont, Ryan, Cormier, Grandmaison, Pelletier of Nashua, Ward 8, Pelletier of Nashua, Ward 9, Locke of New Boston, Ashley of New Ipswich, Barry.

CHESHIRE COUNTY: Burnham, O'Neil of Keene, Pickett, Walsh, Lang, Thompson of Winchester.

SULLIVAN COUNTY: Angus, Nahil, Marcotte of Claremont, Gamsby, Callum.

GRAFTON COUNTY: Gingras, Chamberlin of Bath, Harrington, Clarke of Canaan, Avery, Lorden, Jones, Gardner, Anderson, Gilbert.

COOS COUNTY: Hinchey, Henderson of Berlin, Sheridan, Brungot, Morel, Sullivan of Berlin, Bouchard, Fontaine, Roy of Berlin, Rines, Kimball, Simonds, Means, Placy.

ROCKINGHAM COUNTY: Libby, Wastcoat, Cushing, Kendall, Richards, LeComte, Sheehy, LaBranche of Newmarket, Sewall.

STRAFFORD COUNTY: Stackpole, Marcotte of Dover, Shaheen, Carroll, Flanagan, Horne, Rolfe, LaCasse, Lagueux, Letourneau, Cater of Somersworth.

BELKNAP COUNTY: Boutin, Normandin.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Baron of Allenstown, Ellsworth, Marden, Dodge, Ferrin, Corbett, O'Neil of Concord, Sawyer of Concord, Chase of Franklin, Burke, Mason, Beale, DuDevoir, Lea, Payeur, Chandler.

Mr. Evans of Lancaster voting yes paired with Mr. O'Shan of Laconia voting no.

And House Bill No. 74 was indefinitely postponed.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to non-concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 114, An act relating to licenses to operate motor vehicles.

House Bill No. 150, An act relating to students of dentistry, practicing in the State Hospital.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 157, An act to relieve members of the police force of the city of Nashua from police duty at certain times.

House Bill No. 271, An act relative to the practice of dentistry.

House Bill No. 276, An act providing for the classification of certain surface waters.

House Bill No. 338, An act relative to the definition of "most recent employer," determination of claims, chargeability of employers for benefits paid, and merit ratings of employers under the unemployment compensation law.

House Bill No. 350, An act relative to the definition of total unemployment, the weekly benefit amount for total unemployment and maximum total amount of benefits payable during a benefit year, and also relative to benefit eligibility conditions, under the unemployment compensation law.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 14, An act relative to hours of duty for members of the Manchester Fire Department.

Senate Bill No. 36, An act relative to furnishing financial responsibility, and reports required after motor vehicle accidents.

Senate Bills Read and Referred

Senate Bill No. 14, An act relative to hours of duty for members of the Manchester Fire Department.

Read a first and second time, and referred to a special committee consisting of the delegation from the city of Manchester.

Senate Bill No. 36, An act relative to furnishing financial responsibility, and reports required after motor vehicle accidents.

Read a first and second time, and referred to the Committee on Transportation.

On motion of Mr. Wadleigh of Milford business in order at 3:00 o'clock was made in order at the present time, the rules were suspended, and the third reading of bills were read by their titles only.

Third Readings

House Bill No. 110, An act relative to the salary of the special justice of the municipal court of Dover.

Read a third time and passed, and sent to the Senate for concurrence.

Reconsideration

Mr. Flanagan of Dover moved that the House reconsider the vote whereby it passed House Bill No. 110.

On a *viva voce* vote the motion to reconsider did not prevail.

House Bill No. 158, An act relating to bait dealers' licenses.

House Bill No. 172, An act relating to possession of jacks, etc.

House Bill No. 289, An act relating to powers of the highway commissioner.

House Bill No. 324, An act naming the William E. Chandler highway.

House Bill No. 373, An act relating to the method in which town fire bills shall be paid.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of Mr. Simonds of Lancaster at 2:20 o'clock the House adjourned.

WEDNESDAY, MARCH 21, 1951

The House met according to adjournment.

Prayer was offered by Rev. Walter W. Lyon, D.D., of Hampstead, and Atkinson, N. H.

Great Spirit of God, we praise Thee in the morning hour for Thy loving kindness. Thou who sendest us blessings beyond our capacity to receive.

Let Thy mercies so govern our minds this day that Thy kingdom shall come into our midst, and Thy will be done in our world.

Grant, O God, within these precincts, that vision of what is pure and honest and just and kind,—and the strength to put first things above our petty reasonings.

Give, O God,—we beseech thee—that sense of unity and comradeship that shall unite our ideals and aspirations, and create in this assembly, and throughout the world where leaders meet, . . . that love of justice and brotherhood and peace.

Hear our prayer, Spirit of God, from such hurry in days like these, and consecrate our lives, and our government this day, to Thy eternal care. In the Spirit of Christ. Amen.

Leaves of Absence

Mr. Dame of Portsmouth was granted leave of absence for the day on account of illness.

Mr. Janelle of Nashua was granted leave of absence for the day on account of important business.

Mr. Tilton of Ward 4, Laconia, was granted leave of absence for the day on account of attending a funeral.

Messrs. Waterhouse of Windham and Mailloux of Pelham, were granted leaves of absence for Wednesday and Thursday on account of important business.

Introduction of Bill

The following bill was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

House Bill No. 393, An act authorizing the town of Belmont to issue notes or bonds for the town water system.

Read a first and second time, laid upon the the table to be printed and referred to the Committee on Municipal and County Government.

Engrossed Bill Report

Mrs. Landers of Keene, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bill:

House Bill No. 338, An act relative to the definition of "most recent employer," determination of claims, charge-

ability of employers for benefits paid, and merit ratings of employers under the unemployment compensation law.

The report was accepted.

Committee Reports

Mr. Metcalf of Tilton, for the Committee on Fish and Game, to whom was referred House Bill No. 162, An act relating to exceptions to the requirements for hunting and fishing licenses, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Metcalf of Tilton, for the Committee on Fish and Game, to whom was referred House Bill No. 183, An act relating to shotgun towns, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the bill by adding a new section as follows:

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Metcalf of Tilton, for the Committee on Fish and Game, to whom was referred House Bill No. 359, An act relative to protected and unprotected birds, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Wheeler of Keene, for the Committee on Public Health, to whom was referred Senate Bill No. 32, An act relating to the appointment of medical referees, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Matthews of New Hampton, for the Committee on Judiciary, to whom was referred House Bill No. 118, An act to provide for absentee voting for persons in the armed forces and civilians serving therewith, reported the same with the following amendment, and the recommendation that the bill, as amended, ought to pass.

Amend section 1 of said bill by striking out the word "war" in line 2 and inserting in place thereof the words, armed services, and by striking out the words "not below the rank of sergeant" in the 7th line, so that said section, as amended, shall read as follows:

1. *Members of the Armed Forces and Civilians Serving Therewith.* Any armed services absentee as hereinafter defined voting as herein permitted may substitute for the jurat required by chapter 34 of the Revised Laws and transmit with the sealed ballot a written statement in such form as the secretary of state shall prescribe, setting forth the facts required, made before any commissioned officer, non-commissioned officer, or petty officer, in the armed forces of the United States and any member of the merchant marine of the United States designated for this purpose by the administrator of the war shipping administration.

Amend section 2 of said bill by striking out the word "war" where it appears in line 1 and inserting in place thereof the words, armed services, so that said section, as amended, shall read as follows:

2. *Definition of Armed Services Absentee.* The term "armed services absentee" as used herein shall be construed to mean:

I. Members of the armed forces and the merchant marine of the United States.

II. Persons serving with the American Red Cross, the Society of Friends, the Women's Auxiliary Service Pilots and the United Service Organizations, who are attached to and serving with the armed forces of the United States. The term "members of the merchant marine of the United States" shall mean persons employed as officers or members of crews of vessels documented under the laws of the United States and persons enrolled for such employment with the United States war shipping administration.

Amend section 3 of said bill by striking out the word "war" in lines 1 and 2 and inserting in place thereof the words, armed services, so that said section, as amended, shall read as follows:

3. *Armed Services Ballots.* The secretary of state shall prepare armed services ballots similar to the official ballot for the use of armed services absentees in such quantities as he

may deem necessary together with envelopes upon which shall be printed the affidavits prescribed by chapter 34 of the Revised Laws. He shall determine their size, weight, type and color of paper. The secretary of state shall retain for his own use so many of the papers provided for in this chapter as he may deem sufficient, and shall supply each city and town clerk in the state with as many of them as he may deem necessary.

Amend section 4 of said bill by striking out the word "war" in lines 1, 2 and 8 and inserting in place thereof the words, armed services, and by striking out the words "a war" in line 7 and inserting in place thereof the words, an armed services, so that said section, as amended, shall read as follows:

4. *Applications.* Applications for armed services ballots for armed services absentees may be made in any form to the secretary of state by the armed services absentee or any one on his behalf, provided his name, service organization, service address and legal residence are disclosed. Upon receipt of any such application the secretary of state shall forward it by mail to the clerk of the town or city of the voting place indicated. The town or city clerks shall forward by mail an armed services ballot with the necessary envelopes to such armed services absentee.

Amend section 5 of said bill by striking out the words "a war" in line 5 and inserting in place thereof the words, an armed services, so that said section, as amended, shall read as follows:

5. *Information Furnished.* The registrars of voters or supervisors of the check-list are hereby required to furnish to the town or city clerks upon their request any information relative to persons entitled to vote in their ward or town which may be necessary to enable them to determine the proper ballot to be sent to an armed services absentee. Whoever violates any provision of this section shall be fined not more than fifty dollars.

Amend section 6 by striking out the words "A war" in line 1 and inserting in place thereof the words, an armed services, and further amend said section by striking out the word "war" in line 11 and inserting in place thereof the words, armed services, so that said section, as amended, shall read as follows:

6. *Voting Procedure.* An armed services absentee who has received a war ballot may vote by mailing or causing to be delivered to the secretary of state such ballot marked and sworn to as follows: He shall deliver said ballot to any official authorized by law to administer oaths, or any officer described in section 1 hereof, for examination, who shall satisfy himself that it is unmarked and the voter shall not allow said official or officer to see how he marks it, and said voter shall mark said ballot in the presence of said official or officer and no other person. Said official or officer shall hold no communication with the voter, nor he with said official or officer, as to how he is to vote; provided, however, that in the case of any armed services absentee who, because of blindness, or other physical disability, is unable to mark his ballot, such official or officer may assist him to mark his ballot as directed by said voter. Such official or officer shall certify on the outside thereof that it was so marked with his assistance, and shall thereafter give no information regarding the same. After marking the ballot, the voter shall enclose and seal the same in the envelope provided for that purpose. He shall then execute before said official or officer the affidavit on said envelope and shall enclose and seal the envelope containing the ballot in the return mailing envelope, endorse thereon his name and voting place, and shall then mail the envelope or cause it to be delivered to the secretary of state.

Amend section 7 of said bill by striking out the word "war" in line 2 and inserting in place thereof the words, armed services, so that said section, as amended, shall read as follows:

7. *Procedure by Secretary of State.* Upon receipt of the envelope containing the armed services ballot the secretary of state shall send it to the clerk of the city or town of the voting place indicated on the envelope.

Amend section 8 of said bill by striking out the words "a war" in line 2 and inserting in place thereof the words, an armed services; further amend said section by inserting after the word "voter" in line 8 the words, and his name shall be added to the check-list; and further amend said section by striking out the word "war" in line 13 and inserting in place thereof the words, armed services, so that said section, as amended, shall read as follows:

8. *Registration of Voters.* Upon receipt of the envelope containing an armed services ballot the clerk of the city or town shall open and retain the mailing envelope and deliver the voting envelope to the registrars of voters or supervisors of the check-list of the voting place indicated thereon who shall examine the same. The affidavit appearing on the outside of the envelope, if properly executed, shall be *prima facie* evidence of the voter's qualifications to become a voter and his name shall be added to the check-list. The registrars or supervisors of the check-list shall then return the envelopes unopened to the city or town clerk who shall see that they check in number with the mailing envelopes. Said clerk shall attach the two corresponding envelopes and shall deliver them to the moderator before the hour for the closing of the polls upon election day to be counted. No armed services ballot shall be rejected by a moderator for the lack of an attached application.

Amend section 10 of said bill by inserting after the word "chapter" in line 1 the figures and word, 32 and, so that said section, as amended, shall read as follows:

10. *Laws Suspended.* Such provisions of chapter 32 and 34 of the Revised Laws as are inconsistent with the provisions hereof shall be suspended during the effective dates hereof.

The report was accepted.

Mr. Perkins of Concord moved that the rules be suspended, and reading of the amendment be dispensed with.

The question being on the motion.

(Discussion ensued)

Mr. Perkins of Concord spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

The question being on the adoption of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

On motion of Mr. Pickett of Keene, the rules were suspended to allow for the presentation of a committee report, which had not previously been advertised in the Journal.

Mr. Pickett of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 174, An act prohibiting games of beano on Sunday and playing of game by minors, re-

ported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Games of Beano.* Amend section 2 of chapter 171-A of the Revised Laws as inserted by Chapter 292 of the Laws of 1949 by adding at the end thereof the following paragraphs: V. No person under the age of eighteen years shall be admitted in any room or hall where said games are being conducted. VI. No games of beano shall be played on Sunday. VII. All prizes, tokens or awards used, given, offered or awarded during, after or in connection with the conduct of any game or series of games conducted in any calendar day shall not exceed the total amount of value of eight hundred dollars. VIII. No games shall be conducted prior to 1:30 o'clock in the afternoon, or subsequent to 11:00 o'clock in the night-time of the same day, so that said section as amended shall read as follows: 2. *License.* The selectmen of any town or the chief of police of any city wherein the provisions of this chapter have been adopted may issue to any charitable organization within such town or city a license to conduct games of beano on not more than five days in any one calendar month under the following conditions:

I. The license shall authorize games on specified dates at specified times and at a specified location.

II. Such license shall not be transferable.

III. All persons conducting said games shall be members of the charitable organization.

IV. The price to be paid for a single card or play under the license shall not exceed ten cents.

V. No person under the age of eighteen years shall be admitted to any room or hall where said games are being conducted.

VI. No games of beano shall be played on Sunday.

VII. All prizes, tokens or awards used, given, offered or awarded during, after or in connection with the conduct of any game or series of games conducted in any calender day shall not exceed the total amount of value of eight hundred dollars.

VIII. No games shall be conducted prior to 1:30 o'clock

in the afternoon, or subsequent to 11:00 o'clock in the nighttime of the same day.

The report was accepted.

The bill, with the amendment pending, was laid upon the table under Rule No. 48, to be taken up March 27.

Recorded as Voting

Mr. Desilets of Berlin wishes to state that had he been present yesterday when the House took action on House Bill No. 74, An act creating a state lottery, he would have voted Yes on the motion to table the bill, and that he would have voted No on the motion to indefinitely postpone the measure.

Mr. Dussault of Berlin wishes to state that had he been present yesterday when the House took action on House Bill No. 74, An act creating a state lottery, he would have voted Yes on the motion to table the bill, and that he would have voted No on the motion to indefinitely postpone the measure.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 91, An act relative to bond issue for the Hampton School District.

House Bill No. 178, An act establishing an advisory committee to the board of nurse examiners.

House Bill No. 233, An act relating to the enumeration of children.

House Bill No. 238, An act relative to use of false names for political endorsement.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 46, An act relating to a legatee or devisee deceased before testator.

Senate Bill No. 51, An act legalizing the proceedings of the special meeting of the Penacook and Boscawen Water Precinct held on January 18, 1951.

Senate Bills Read and Referred

Senate Bill No. 46, An act relating to a legatee or devisee deceased before testator.

Read a first and second time, and referred to the Committee on Judiciary.

Senate Bill No. 51, An act legalizing the proceedings of the special meeting of the Penacook and Boscawen Water Precinct held on January 18, 1951.

Read a first and second time, and referred to the Committee on Municipal and County Government.

On motion of Mr. Wadleigh of Milford, business in order at 3:00 o'clock, was made in order at the present time, the rules were suspended, and the third reading of bills were read by their titles, only.

Third Readings

House Bill No. 118, An act to provide for absentee voting for persons in the armed forces and civilians serving therewith.

House Bill No. 183, An act relating to shotgun towns.

House Bill No. 359, An act relative to protected and unprotected birds.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 32, An act relating to the appointment of medical referees.

Read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Fontaine of Berlin at 11:40 o'clock the House adjourned.

THURSDAY, MARCH 22, 1951

The House met according to adjournment.

Prayer was offered by the Rev. Everett R. Barrows, New Hampshire Congregational Christian Conference, Concord, N. H.

Almighty God, the Creator and Ruler of the Universe, we humbly wait before Thee. We own Thee as our Lord and

Maker. We do not presume to have the wisdom and strength that are necessary in these momentous days. We turn to Thee for divine guidance and wisdom.

Enable us to make those decisions that shall be for the well-being of each one of us. May we have in mind the needs and the concerns of all of our people.

Give to us those moral and spiritual discernments that shall guide us in our decisions. Give to us insights into Thy holy will and purpose for us. Give to us, we pray, Thy divine blessing as we begin our deliberations and work for the common good of all in our great State. We ask it in Christ's name. Amen.

Leaves of Absence

Messrs. Janelle of Nashua and Ellsworth of Boscawen were granted leaves of absence for the day on account of important business.

Mr. Reed of Goffstown was granted leave of absence for the day on account of he couldn't make Dunbarton Hill.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By the Rules Committee, House Bill No. 394, An act relative to the salaries of the county commissioners of Rockingham County. Referred to the Rockingham County Delegation.

By the Rules Committee, House Bill No. 395, An act relating to municipal planning boards. Referred to the Committee on Judiciary.

By the Rules Committee, House Bill No. 396, An act authorizing an interstate compact relating to flood control of the Connecticut River. Referred to the Committee on Resources, Recreation and Development.

By the Rules Committee, House Bill No. 397, An act relative to opening and closing election polls under the non-partisan ballot system and time for filings under said system. Referred to the Committee on Municipal and County Government.

By the Rules Committee, House Bill No. 398, An act establishing a Tri-State Authority to enable the collective construction and operation of institutions in Maine, New Hampshire and

Vermont. Referred to the Committee on Public Welfare and State Institutions.

Engrossed Bills Report

Mrs. Shields of Berlin, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 73, An act relating to duties of selectmen to make reports to tax commission and of school district clerk to report to selectmen.

House Bill No. 91, An act relative to bond issue for the Hampton School District.

House Bill No. 385, An act to validate certain proceedings of Plymouth Village Fire District.

House Bill No. 267, An act relative to property holding of the Huggins Hospital in the town of Wolfeboro.

House Bill No. 178, An act establishing an advisory committee to the board of nurse examiners.

House Bill No. 233, An act relating to the enumeration of children.

House Bill No. 238, An act relative to use of false names for political endorsement.

The report was accepted.

Committee Reports

Mr. Griffin of Lincoln, for the Committee on Executive Departments and Administration, to whom was referred House Joint Resolution No. 9, Joint resolution providing for an interim committee to study ways and means of improving the Employees' Retirement System of the State of New Hampshire, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Young of Pittsfield, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 132, An act to establish the rights and privileges of officers and employees of the state who enter into the armed forces of the United States, reported the same in new draft, with the recommendation that the bill in its new draft ought to pass.

The report was accepted.

The bill, in its new draft, was a read a first and second time, laid upon the table to be printed, and recommitted to the Committee on Executive Departments and Administration.

Mr. Young of Pittsfield, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 342, An act to provide for the coverage of certain officers and employees of the state and local governments under the old-age and survivors insurance provisions of title II of the Federal Social Security Act, as amended, reported the same with the following amendment, and the recommendation that the bill, as amended, ought to pass.

Amend section 1 of said bill by inserting at the end thereof the words, except as may be otherwise specifically limited herein, so that said section, as amended, shall read as follows:

1. *Declaration of Policy.* In order to extend to employees of the state and its political subdivisions and to the dependents and survivors of such employees, the basic protection accorded to others by the old-age and survivors insurance system embodied in the Social Security Act, it is hereby declared to be the policy of the general court, subject to the limitations of this act, that such steps be taken as to provide such protection to employees and officials of the state and its political subdivisions on as broad a basis as is permitted under the Social Security Act, except as may be otherwise specifically limited herein.

Amend paragraph II of section 2 of said bill by adding at the end thereof the following: or (3 service performed by members and those eligible to be members of the State Employees' Retirement System, Teachers' Retirement System, Policemen's Retirement System and Firemen's Retirement System, so that said paragraph, as amended, shall read as follows:

II. The term "employment" means any service performed by an employee or official in the employ of the state, or any political subdivision thereof, for such employer, except (1) service which in the absence of an agreement entered into under this act would constitute "employment" as defined in the Social Security Act; or (2) service which under the Social Security Act may not be included in an agreement between the state and the Federal Security Administrator

entered into under this act, or (3) service performed by members and those eligible to be members of the State Employees' Retirement System, Teachers' Retirement System, Policemen's Retirement System and Firemen's Retirement System.

The report was accepted, the amendment adopted, and the bill referred to the Committee on Appropriations under the rules.

Mr. Putney of Andover, for the Committee on Fish and Game, to whom was referred Senate Bill No. 30, An act increasing fees for nonresident trapping licenses, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Frizzell of Charlestown, for the Committee on Public Welfare and State Institutions, to whom was referred House Bill No. 247, An act relating to labeling of products manufactured in the state prison, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Corliss of Manchester, for the Special Committee consisting of the Members from the City of Manchester, to whom was referred Senate Bill No. 23, An act relating to pensioning of employees of the waterworks department of the city of Manchester, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Corliss of Manchester, for the Special Committee consisting of the Members from the City of Manchester, to whom was referred House Bill No. 78, An act relating to the school committee of the city of Manchester, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Corliss of Manchester, for the Special Committee consisting of the Members from the City of Manchester, to

whom was referred House Bill No. 84, An act to elect highway commissioners in the city of Manchester, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Gagnon of Manchester moved that the words, ought to pass, be substituted for the resolution of the committee, inexpedient to legislate.

The question being on the motion to substitute.

(Discussion ensued)

Mr. Gagnon of Manchester spoke in favor of the motion.

Messrs. Sullivan of Ward 7, Daniels and Pillsbury of Manchester, and Lea of Pembroke spoke against the motion.

On a *viva voce* vote the motion to substitute did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mrs. Corliss of Manchester, for the Special Committee consisting of the Members from the City of Manchester, to whom was referred House Bill No. 336, An act to increase the salary of the clerk of the municipal court of Manchester, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Corliss of Manchester, for the Special Committee consisting of the Members from the City of Manchester, to whom was referred House Bill No. 378, An act relative to the election of members of the school committee in the city of Manchester, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Taken from the Table

Mr. Rathbun of Harrisville, for the Committee on Resources, Recreation and Development, to whom was referred

House Bill No. 379, An act relative to the registration of wood processing mills, reported the same with the amendment as printed in the Journal of March 20, 1951, and the recommendation that the bill, as amended, ought to pass.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 267, An act relative to property holding of the Huggins Hospital in the town of Wolfeboro.

House Bill No. 385, An act to validate certain proceedings of Plymouth Village Fire District.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 73, An act relating to duties of selectmen to make reports to tax commission and of school district clerk to report to selectmen.

The message further announced that the Senate had voted to non-concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 27, An act providing for the consolidation of the offices of town clerk and tax collector.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 48, An act to amend the charter of the Manchester Women's Aid and Relief Society.

Senate Bill No. 50, An act to give small towns representation on county conventions when not entitled to representation in the House.

Senate Bills Read and Referred

Senate Bill No. 48, An act to amend the charter of the Manchester Women's Aid and Relief Society.

Read a first and second time, and referred to the Committee on Executive Departments and Administration.

Senate Bill No. 50, An act to give small towns representation on county conventions when not entitled to representation in the House.

Read a first and second time, and referred to the Committee on Municipal and County Government.

Resolutions

Mr. Tilton of Ward 4, Tilton, offered the following resolution:

Whereas, we have learned with sorrow of the death of Frank B. Shannon of Laconia, a fellow representative in the legislative sessions of 1945, 1947 and 1949, and

Whereas, the said Frank B. Shannon performed well and faithfully his duties in behalf of those he represented, therefore be it

Resolved, that we pay our sincere tribute to the said Frank B. Shannon, and be it further

Resolved, that we extend our heartfelt sympathy to his family in its bereavement and that a copy of these resolutions be sent to the members thereof.

On a *viva voce* vote the resolution was adopted.

Mr. Martel of Manchester offered the following resolution:

Whereas, Good Friday occurring March 23, 1951 and

Whereas, being publicly mindful and fully appreciative on this eventful anniversary,

Now therefore, we, the members of the House of Representatives, do and hereby resolve to observe at the present moment, a one-minute period of silent meditation to commemorate the sufferings and the death of the Son of God, Our Lord Jesus Christ, on the Cross, for the salvation of mankind.

On a rising vote the resolution was adopted unanimously.

On motion of Mr. Wadleigh of Milford, the rules were suspended and business in order at 3:00 o'clock was made in

order at the present time, and when the House adjourned today, it adjourned until Tuesday morning at 11:00 o'clock, and bills were read by their titles only.

Third Readings

House Bill No. 378, An act relative to the election of members of the school committee in the city of Manchester.

House Bill No. 379, An act relative to the registration of wood processing mills.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 30, An act increasing fees for nonresident trapping licenses.

Senate Bill No. 23, An act relating to pensioning of employees of the waterworks department of the city of Manchester.

Severally read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mr. Burnham of Alstead at 12:10 o'clock the House adjourned.

TUESDAY, MARCH 27, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

Almighty God, who through thine only-begotten Son, Jesus Christ, hast given to us the hope of immortality, help us at this Eastertide not to be satisfied with the mere hope of immortality, but also to more fully live the life that now is. May we take to heart more deeply the words of the sacred writer who said: "If ye then be risen with Christ, seek those things which are above." Help us our God, in the daily round of life and duty to rise above the thoughts and actions that would bemean us, lift us above petty jealousies and the spirit of intolerance, that we may live here on a plane that means peace with one another and with Thee. We ask this in the name of the Risen Christ. Amen.

Leaves of Absence

Messrs. Smith of Loudon and Spaulding of Hudson were granted leaves of absence for the day on account of important business.

Messrs. Collins of Keene and Gould of Colebrook were granted leaves of absence until further notice on account of illness.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By the Rules Committee, House Bill No. 399, An act relating to the moderators of school districts. To the Committee on Municipal and County Government.

By the Rules Committee, House Joint Resolution No. 34, Joint resolution in favor of Archie J. Young. To the Committee on Appropriations.

Printing Dispensed With

On motion of Mr. Brown of Strafford, printing of House Joint Resolution No. 34 was dispensed with.

Engrossed Bills Report

Mrs. Holmes of Amherst, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 5, An act prohibiting the use of power boats on Lake Whittemore in the town of Bennington.

House Bill No. 143, An act relating to control of vicious dogs.

House Bill No. 151, An act relating to representation of the department of agriculture on the council on resources and development.

House Bill No. 271, An act relative to the practice of dentistry.

House Bill No. 275, An act providing for the classification of certain surface waters.

House Bill No. 277, An act providing for the classification of certain surface waters.

House Bill No. 278, An act providing for the classification of certain surface waters.

House Bill No. 279, An act providing for the classification of certain surface waters.

House Bill No. 281, An act providing for the classification of certain surface waters.

Senate Bill No. 23, An act relating to pensioning of employees of the waterworks' department of the city of Manchester.

Senate Bill No. 30, An act increasing fees for nonresident trapping licenses.

Senate Bill No. 32, An act relating to the appointment of medical referees.

House Bill No. 161, An act relating to powers of directors and conservation officers.

The report was accepted.

Committee Reports

Mr. Henderson of Durham, for the Committee on Appropriations, to whom was referred House Bill No. 170, An act relating to federal aid for fish restoration projects, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Hart of Wolfeboro, for the Committee on Appropriations, to whom was referred House Bill No. 137, An act relative to Class I, Class II, Class IV and Class V highways, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 9 of said bill by striking out the words "said supplemental road toll" in the ninth line and inserting in place thereof the words, road tolls, so that said section as amended shall read as follows:

9. *Road Toll.* In addition to the four cent per gallon of motor vehicle road tolls now imposed pursuant to the provisions of section 11, chapter 137, Laws of 1939, and chapter 120 of the Revised Laws as amended by chapter 65 of the Laws of 1943, chapter 34, Laws of 1945, chapters 138 and 277, Laws of 1947, and chapters 32, 169 and 242, Laws of 1949, a supplemental road toll of one cent per gallon is hereby imposed for the purposes of this act so that from and after the effective date

hereof the motor vehicle road tolls of this state shall total five cents per gallon. The road tolls shall be used initially to pay the interest and principal due on any bonds and notes issued under this act, or under any previous act pertaining to highway construction, and the remainder shall be paid into the highway fund.

Amend section 10 of said bill by adding at the end thereof the following words: and said supplemental road toll shall be continued until July 1, 1966, so that said section as amended shall read as follows:

10. *Takes Effect.* The provisions of this act shall take effect upon its passage provided that the collection of the supplemental road toll provided for in section 9 shall not begin until the first day of the month after the passage of this act and said supplemental road toll shall be continued until July 1, 1966.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Sanborn of Wakefield spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Pickett of Keene offered the following amendment:

Amend said bill by inserting after section 9 the following new section:

10. *Road Toll Rebates.* Amend paragraph I of section 16 of chapter 120 of the Revised Laws, as amended by chapter 65, Laws of 1943 and chapter 277, Laws of 1947 by inserting after the word "chapter" in the eighth line the words, or any official or employee of the state or a political subdivision thereof or any person employed in the delivery of the United States mails who shall use any motor fuel in his own motor vehicles while engaged in the performance of official duties for said state or subdivision, so that said paragraph as amended shall read as follows: I. Any person who shall use any motor fuel, with respect to which the road toll herein imposed has been paid, in any way other than in motor vehicles for the purpose of generating power for the propulsion thereof upon the public highways, or any city, town, school district or village district which shall use any motor fuel in its own

vehicles, or any dealer who shall make sales specified in paragraphs (a), (b) and (c) of section 3 of this chapter, or any official or employee of the state or a political subdivision thereof or any person employed in the delivery of the United States mails who shall use any motor fuel in his own motor vehicles while engaged in the performance of official duties for said state or subdivision shall be entitled to a refund to the extent of the amount of said tolls so paid, with respect to such motor fuel. The right to receive any refund under the provisions of this section shall not be assignable and any assignment thereof shall be void. Nor shall any payment thereof be made to any person other than the original person entitled thereto using or selling motor fuel as hereinabove in this section set forth.

Further amend said bill by re-numbering section 10 to read section 11.

The question being on the amendment.

(Discussion ensued)

Mr. Pickett of Keene spoke in favor of the amendment.

Mr. Sanborn of Wakefield spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

The bill was ordered to a third reading.

Mr. Sanborn of Wakefield moved that the rules be suspended and House Bill No. 137 be put upon its third reading and final passage by title at the present time.

The question being on the motion of Mr. Sanborn.

(Discussion ensued)

Messrs. Sanborn of Wakefield and Pickett of Keene spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

The bill was read a third time and passed, and sent to the Senate for concurrence.

Reconsideration

Mr. Sanborn of Wakefield moved that the House reconsider the vote whereby it passed House Bill No. 137.

On a *viva voce* vote the motion to reconsider did not prevail.

Mrs. Cooper of Nashua, for the Committee on Judiciary, to whom was referred House Bill No. 291, An act to authorize New England Power Company to acquire and exercise in New Hampshire all the New Hampshire rights, properties and franchise of Connecticut River Power Company, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Brosnahan of Nashua, for the Committee on Labor, to whom was referred House Bill No. 258, An act relative to compensation for permanent partial disability under workmen's compensation in certain cases, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Brosnahan of Nashua, for the Committee on Labor, to whom was referred House Bill No. 259, An act relative to collection of fines from employers under workmen's compensation law, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Brosnahan of Nashua, for the Committee on Labor, to whom was referred House Bill No. 260, An act relative to definition of terms under workmen's compensation law, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Brosnahan of Nashua, for the Committee on Labor, to whom was referred House Bill No. 261, An act relating to notices of proceedings under workmen's compensation law, reported the same with the following amendment, and the recommendation that the bill, as amended, ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Workmen's Compensation.* Amend section 15 of chapter 216 of the Revised Laws as inserted by chapter 266 of the Laws of 1947 by adding at the end thereof the words, but

claim shall be barred under this chapter unless said notice is given to the employer within one year from the date of the accident. For the purpose of giving notice of a disease, the date of disablement shall be deemed the date of accident, so that said section as amended shall read as follows: 15. *Defective Notice.* No want, defect or inaccuracy of a notice shall be a bar to the maintenance of proceedings unless the employer proves that he is prejudiced by such want, defect or inaccuracy; but claim shall be barred under this chapter unless said notice is given to the employer within one year from the date of the accident. For the purpose of giving notice of a disease, the date of disablement shall be deemed the date of accident.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Swain of Barrington, for the Special Committee, consisting of the members from the County of Strafford, to whom was referred House Bill No. 79, An act relative to the salaries of the commissioners of Strafford County, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The undersigned, a minority of the Special Committee, consisting of the members from the County of Strafford, to whom was referred House Bill No. 79, An act relative to the salaries of the commissioners of Strafford County, and being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

EMMETT J. FLANAGAN
JOSEPH MARCOTTE, JR.
JAMES CARROLL
WM. N. SHAHEEN
W. RAYMOND STACKPOLE
ALPHONSE LaCASSE
ANGELINE M. GILBERT ST. PIERRE
EDWARD G. LETOURNEAU
LEO H. CATER
CHARLES H. LOCKE
PLACIDE J. LAGUEAUX
FRANK I. CALDWELL

A Minority of the Committee.

The reports were accepted.

Mr. Flanagan of Dover moved that the report of the minority, ought to pass, be substituted for the report of the majority, inexpedient to legislate.

The question being on the motion to substitute.

(Discussion ensued)

Mr. Flanagan of Dover spoke in favor of the motion.

Messrs. Henderson of Durham, Fernald of Rochester, Swain of Barrington and Lea of Pembroke spoke against the motion.

On a *viva voce* vote the motion to substitute did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Taken from the Table

Mr. Pickett of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 174, An act prohibiting games of beano on Sunday and playing of game by minors, reported the same with the amendment as printed in the Journal of March 21, and the recommendation that the bill as amended ought to pass:

The report was accepted.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading:

Mr. Pelletier of Nashua, for the Committee on Judiciary, to whom was referred House Bill No. 188, An act relating to beano, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mrs. Cooper of Nashua, for the Committee on Judiciary, to whom was referred House Bill No. 218, An act limiting prizes in games of beano, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by other legislation, House Bill No. 174.

The report was accepted, and the resolution of the committee adopted.

Mrs. Brungot of Berlin, for the Committee on Judiciary, to whom was referred House Bill No. 316, An act providing a tax on games of beano, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 5, An act prohibiting the use of power boats on Lake Whittemore in the town of Bennington.

House Bill No. 30, An act relative to annual reports of certain county officers.

House Bill No. 72, An act providing for the operation of pipe lines for the transportation, distribution and sale of natural gas.

House Bill No. 143, An act relating to control of vicious dogs.

House Bill No. 151, An act relating to representation of the department of agriculture on the council on resources and development.

House Bill No. 161, An act relating to powers of directors and conservation officers.

House Bill No. 164, An act relating to revocation of fish and game licenses.

House Bill No. 171, An act relative to purchase and sale of poultry.

House Bill No. 275, An act providing for the classification of certain surface waters.

House Bill No. 277, An act providing for the classification of certain surface waters.

House Bill No. 278, An act providing for the classification of certain surface waters.

House Bill No. 279, An act providing for the classification of certain surface waters.

House Bill No. 281, An act providing for the classification of certain surface waters.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 54, An act relative to the control and management of parks and playgrounds in the city of Berlin.

Senate Bill Read and Referred

Senate Bill No. 54, An act relative to the control and management of parks and playgrounds in the city of Berlin.

Read a first and second time and referred to a special committee consisting of the Delegation from the City of Berlin.

Resolutions

Mr. Oakes of Columbia offered the following resolution:

Whereas, we have learned of the illness of Fred H. Gould, Representative from Colebrook, therefore be it

Resolved, That we extend our sympathy to our fellow member in his illness and our best wishes for a speedy recovery to health, and be it further

Resolved, That the Clerk transmit a copy of these resolutions to Representative Gould.

On a *viva voce* vote the resolution was adopted.

Mr. Vaillancourt of Manchester offered the following resolution:

Whereas, we have learned with regret of the death of our fellow representative, George E. LaFlamme of Manchester and

Whereas, Mr. Laflamme had served as a member for several sessions of the General Court and was one of the leaders of his ward, now therefore be it

Resolved, That the members of the House wish to express their sorrow in the passing of their fellow representative and extend their sympathy to the bereaved family, and be it further

Resolved, That the Clerk be instructed to transmit a copy of these resolutions to Mrs. Laflamme, and procure a floral tribute.

The resolution was unanimously adopted by a rising vote.

Mr. Sullivan of Ward 7, Manchester, offered the following resolution:

Whereas, we have learned with sorrow of the passing of our fellow representative, Mark J. Gorham of Manchester, and

Whereas, Mr. Gorham has been an outstanding citizen, serving his state and his city with efficiency and zeal, now therefore be it

Resolved, That we, the members of this House of Representatives, wish to extend our heartfelt sympathy to his family, and be it further

Resolved, That the Clerk be instructed to transmit a copy of these resolutions to his family and procure a floral tribute.

The resolution was unanimously adopted by a rising vote.

Motion

On motion of Mr. Sullivan of Ward 7, Manchester, that when the House adjourn today it adjourn out of respect to the two departed members from Manchester.

On motion of Mr. Wadleigh of Milford, business in order at 3 o'clock was made in order at the present time, and the rules be suspended, and the third reading of bills be read by their titles, only.

Third Readings

House Bill No. 170, An act relating to federal aid for fish restoration projects.

House Bill No. 174, An act prohibiting games of beano on Sunday and playing of game by minors.

Severally read a third time and passed, and sent to the Senate for concurrence.

Reconsideration

Mr. Pickett of Keene moved that the House reconsider the vote whereby it passed House Bill No. 174.

On a *viva voce* vote the motion to reconsider did not prevail.

House Bill No. 291, An act to authorize New England Power Company to acquire and exercise in New Hampshire all the New Hampshire rights, properties and franchise of Connecticut River Power Company.

House Bill No. 258, An act relative to compensation for permanent partial disability under workmen's compensation in certain cases.

House Bill No. 259, An act relative to collection of fines from employees under workmen's compensation law.

House Bill No. 260, An act relative to definition of terms under workmen's compensation law.

House Bill No. 261, An act relating to notices of proceedings under workmen's compensation law.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of Mr. Pettigrew of Manchester at 12:45 o'clock the House adjourned.

WEDNESDAY, MARCH 28, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

"Lord help me live from day to day
In such a self-forgetful way
That even when I kneel to pray
My prayer shall be for — Others.
Help me in all the work I do
To ever be sincere and true,
And know that all I'd do for you
Must needs be done for — Others."

Help us, our God to remember the words of the Divine Master, Who said: "I came not to do mine own will, but the will of Him that sent Me." Imbue us, we beseech Thee, with the Spirit of that Life, the greatest life ever lived, because it was lived for others. May we, like the Master, seek to do less of our own will and more of the will of Him Who lived for others. Amen.

Leaves of Absence

Mr. Pelletier of Nashua was granted leave of absence for the day on account of important business.

Mr. Lindahl of Deerfield was granted leave of absence for the day on account of illness.

Mr. Hall of Marlboro was granted leave of absence for the week on account of illness.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Rules Committee, House Bill No. 400, An act relative to bonds on public works. To the Committee on Public Works.

By the Rules Committee, House Bill No. 401, An act relative to supplying employment, deputizing and uniforming jailers in the county jails and houses of correction, and consolidation of certain jails. To the Committee on Municipal and County Government.

Committee Reports

Mrs. Cooper of Nashua, for the Committee on Judiciary, to whom was referred House Bill No. 221, An act relating to contracts by married women, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by inserting after the word "may" in line 6 the word, convey, and by striking out the words "a mortgage" in line 10 and inserting in place thereof the words, "joint notes, obligations and mortgages", so that said section as amended shall read as follows:

1. *Married Women.* Amend section 2 of chapter 340 of the Revised Laws as amended by chapter 193 of the Laws of 1949 by striking out the same and inserting in place thereof the following: 2. *Wife's Contracts, etc.* Every married woman shall have the same rights and remedies, and shall be subject to the same liabilities in relation to property held by her in her own right, as if she were unmarried, and may convey, make contracts, and sue and be sued, in all matters in law and equity, and upon any contract by her made, or for any wrong by her done, as if she were unmarried; provided that no contract or conveyance by a married woman as surety or guarantor for her husband, nor any undertaking by her for him or in his behalf, shall be binding on her, except joint notes, obligations and mortgages releasing her right of dower and

homestead, or either of them, unless such contract or conveyance or undertaking be signed by her before a notary public or justice of the peace and out of the presence of her husband.

Further amend said bill by striking out section 2 and inserting in place thereof the following:

2. *Declaration of Purpose.* It is hereby declared that this act is for the purpose of explaining and clarifying the meaning of said section 2 as amended in 1949 and not for the purpose of changing the manner by which married women may effectively bind themselves in releasing their rights of dower and homestead in mortgages.

Further amend said bill by inserting after section 2 the following new section:

3. *Validation.* Joint notes, obligations and all releases of rights of dower or homestead or either of them contained in mortgages signed and acknowledged by married women since May 12, 1949, with the formalities required in the execution of a deed, are hereby declared to be valid and binding.

Further amend said bill by renumbering section 3 to read section 4.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Perkins of Concord spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mrs. Cooper of Nashua, for the Committee on Judiciary, to whom was referred House Bill No. 88, An act relating to contracts by married women, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by House Bill No. 221.

The report was accepted and the resolution of the committee adopted.

Mr. Turner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 239, An act relative to allowances for personal services in the settlement of estates, reported the same with the following amendment, and the recommendation that the bill, as amended, ought to pass.

Amend section 1 of said bill by striking out the words "two and one-half" in the seventh line and inserting in place thereof the word, five, so that said section, as amended, shall read as follows:

1. *Administration of Estates.* Amend section 37 of chapter 87 of the Revised Laws, as amended by section 17, chapter 144, Laws of 1945, and by section 2, chapter 86-A of the Revised Laws as inserted by section 49, part 8, chapter 5, Laws of 1950 by striking out said section and inserting in place thereof the following: 37. *Executor's Services.* In the computation of said taxes the state tax commission may deduct not exceeding five per cent from the value of the personal property, and of the real estate sold to pay debts, as an allowance on account of the personal services of the executor or administrator, but other wise shall not be required to consider any payments on account of debts or expenses of administration which have not been allowed by the probate court having jurisdiction of said estate. Provided, that nothing hereunder shall be construed as limiting the amount which may be allowed by the probate court in its discretion as an allowance for personal services of the executor or administrator.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Turner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 293, An act relative to administration of estates, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by House Bill No. 239.

The report was accepted, and the resolution of the committee adopted.

Mr. Kennedy of Manchester, for the Committee on Labor, to whom was referred House Bill No. 116, An act relating to minimum wages for certain employees, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Charland of Franklin moved that the words "ought to pass" be substituted for the resolution of the committee, inexpedient to legislate.

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Charland of Franklin, Sullivan of Ward 7, Manchester, and Payeur of Pembroke spoke in favor of the motion.

Messrs. Kennedy of Manchester, McMeekin of Haverhill, Wilson of Antrim, Angus of Claremont, and Fernald of Rochester, and Mrs. Greene of Concord and Mrs. Brungot of Berlin and Mrs. Morey of Hart's Location spoke against the motion.

Mr. Barry of Wilton moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered. The question being to substitute the words "ought to pass" for the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the motion to substitute did not prevail.

Mr. Charland of Franklin demanded the Yeas and Nays but subesquently withdrew his demand.

Mr. Sullivan of Ward 7, Manchester, asked for a division.

A division being had, 84 members having voted in the affirmative and 224 members having voted in the negative, the motion to substitute did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Kennedy of Manchester moved that the House reconsider the vote whereby it adopted the resolution of the committee, inexpedient to legislate.

The question being on the motion to reconsider.

(Discussion ensued)

Mrs. Brungot of Berlin and Mr. O'Neil of Concord spoke against the motion.

Mr. Kennedy of Manchester withdrew his motion to reconsider.

Mrs. Jackson of Dublin, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 111, An act relative to conservation and the control of lakes, ponds, rivers and streams for public use and benefits, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mrs. Miller of Fitzwilliam, for the Committee on Transportation, to whom was referred Senate Bill No. 36, An act relative to furnishing financial responsibility and reports required after motor vehicle accidents, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. McMeekin of Haverhill moved that Senate Bill No. 36 be recommitted to the Committee on Transportation.

The question being on the motion to recommit.

(Discussion ensued)

Messrs. McMeekin of Haverhill, Pickett of Keene and Sanborn of Wakefield spoke in favor of the motion.

Messrs. Leach of Rochester and Rathbone of Exeter spoke against the motion.

On a *viva voce* vote the bill was recommitted to the Committee on Transportation.

Mrs. Miller of Fitzwilliam, for the Committee on Transportation, to whom was referred House Bill No. 334, An act authorizing the establishment of substation for motor vehicle registration and operator's licenses in Coos county, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Bass of Peterborough, for the Committee on Ways and Means, to whom was referred House Bill No. 35, An act relative to property exemption for veterans, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and substituting the following:

1. *Property Exemption for Veterans.* Amend section 29 of chapter 73 of the Revised Laws, as amended by chapter 174, Laws of 1943; chapter 4, Laws of 1944; chapter 240, Laws of 1947; and chapter 167, Laws of 1949; and sections 29-a, 29-b, 29-c, 29-d, 29-e, 29-f, 29-g and 29-h as inserted by chapter 240,

Laws of 1947 and chapter 167, Laws of 1949, by striking out all of said sections and inserting in place thereof the following new sections:

29. *Disability Exemption.* If any person qualified under section 29-b of this chapter shall be totally and permanently disabled from service connection, he or his wife or widow shall be permanently exempt from taxation upon his taxable property as assessed by the selectmen, to the value of three thousand dollars.

29-a. *Widow's Exemption.* The widow of a veteran who qualified for exemption under section 29-b shall be exempt from taxation upon her taxable property as assessed by the selectmen to the value of one thousand dollars until she remarries, so long as she has her domicile in this state.

29-b. *Ten Year Service Exemption.* Every resident of this state who served not less than ninety days in the armed forces of the United States in any of the following wars and armed conflicts, the Spanish War, Philippine Insurrection, Boxer Rebellion, World War I, World War II, or the Korean conflict, as hereinafter defined, except those dishonorably discharged from such service, and the spouse of such resident and every resident whose services were terminated for a service connected disability and the spouse of such resident in consideration of such service shall be exempt from taxation for a period not exceeding ten years upon his or her taxable property, as assessed by the selectmen, to the value of one thousand dollars; provided, however, that any veteran or his spouse who prior to the effective date of this act has been granted an annual exemption for ten or more years shall be ineligible for further exemption hereunder; and provided, further, that if any veteran or his spouse has been granted less than ten annual exemptions he or she may be granted additional annual exemptions provided the total of such annual exemptions shall not exceed ten in number.

The following terms as used in this section shall be construed as follows:

(1) "Spanish War" between April 21, 1898 and April 11, 1899.

(2) "Philippine Insurrection" between April 12, 1899 and July 4, 1902 extended to July 15, 1903 for service in Moro Provinces.

(3) "Boxer Rebellion" between June 16, 1900 and May 12, 1901.

(4) "World War I" between April 6, 1917 and November 11, 1918 extended to April 1, 1920 for service in Russia, provided that reenlistment in military or naval service on or after November 12, 1918 and before July 2, 1921 where there was prior service between April 6, 1917 and November 11, 1918 shall be considered as World War I service.

(5) "World War II' between December 7, 1941 and December 31, 1946.

(6) "Korean Conflict" between June 27, 1950 and the cessation of hostilities in Korea.

29-c. *Veterans of Allied Forces.* Any person otherwise entitled under the provisions of section 29 or 29-b of this chapter who, being a citizen of the United States, or being a resident of New Hampshire at the time of his entry therein, served on active duty in the armed forces of any of the governments associated with the United States in any of the wars set forth in section 29-b shall be entitled to the exemption authorized by said section.

29-d. *Application for Exemption.* No person shall be entitled to the exemptions provided by section 29, 29-a, or 29-b unless he or she shall have filed with the selectmen or assessors, on or before April fifteenth of each year, an application therefor signed under penalty of perjury, on a form approved by the state tax commission showing that the applicant is duly qualified and is the true and lawful owner of said property by presenting evidence of title. If any person, otherwise qualified to receive such exemption, shall satisfy the selectmen or assessors that he or she was prevented by accident, mistake or misfortune from filing such application before April fifteenth, said officials may receive such application at a later date and grant an exemption thereunder; but no such application shall be received or exemption granted after the local tax rate is approved.

29-e. *Investigation.* On receipt of such application the selectmen or assessors shall examine the same with reference to the right of exemption and the ownership of the property listed, and if they are satisfied that the applicant has wilfully made any false statement in such application for the purpose of obtaining exemption they may refuse to grant the exemption

to the applicant. Any applicant who believes he or she has been wrongfully denied an exemption may appeal in writing within six months from the receipt of the tax bill, to the state tax commission which may make such order as justice requires.

29-f. *Definition.* The word "resident" as used in sections 29-b and 29-c shall mean a person who has had his or her domicile in this state for at least the six months' period immediately preceding April first in the year in which the application for exemption is made. In case a person eligible for tax exemption hereunder shall own taxable property in more than one town he or she shall take the exemption first in the town where he or she resides. If he or she does not own the exemption limit in value of taxable property in the town where he or she resides he or she shall be entitled to take the balance of such exemption in any other town in the state where he or she owns taxable property.

29-g. *Interpretations and Regulations.* The state tax commission is hereby authorized and empowered to make such reasonable interpretations and constructions of sections 29 through 29-f subject to the approval of the attorney general, as will carry out the spirit and purpose of said sections, and to make such reasonable rules and regulations as will insure a uniformity of observance and enforcement of said provisions throughout the state.

2. This act shall take effect on April 1, 1952.

The undersigned, a minority of the Committee on Ways and Means, to whom was referred House Bill No. 35, An act relative to property exemption for veterans, and being unable to agree with the majority, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

JAMES F. MALLEY,
DENIS F. CASEY,
JOHN J. KEARNS,
SHIRLEY BRUNEL,
A Minority of the Committee.

The reports were accepted.

The bill, with the amendment pending, was laid upon the table to be printed under Rule 48.

Mr. O'Shan of Laconia moved that the bill and amendment be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Mr. O'Shan of Laconia spoke in favor of the motion.

Mr. O'Shan of Laconia withdrew his motion to indefinitely postpone.

Mr. O'Shan of Laconia moved that the bill, with the amendment pending, be laid upon the table and made a special order for Wednesday, April 4, at 11:01 o'clock.

On a *viva voce* vote the motion for a special order prevailed.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

House Bill No. 123, An act relative to purchase of state insurance and public state official and employee bonds.

House Bill No. 237, An act increasing death benefits under workmen's compensation.

House Bill No. 255, An act relative to computation of average weekly wages under workmen's compensation.

House Bill No. 256, An act relative to compensation of death under workmen's compensation in certain cases.

House Bill No. 274, An act relative to the practice of chiropractic.

House Bill No. 369, An act relating to the approaches to the General John Sullivan and Alexander Scammell bridges.

House Joint Resolution No. 18, Joint resolution in favor of Daniel H. McLinn.

House Joint Resolution No. 33, Joint resolution relative to purchase of New Hampshire Digest.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 35, An act relative to motor vehicle liability policy forms.

Senate Bill Read and Referred

Senate Bill No. 35, An act relative to motor vehicle liability policy forms.

Read a first and second time, and referred to the Committee on Insurance.

On motion of Mr. Wadleigh of Milford the rules were suspended and business in order at 3:00 o'clock was made in order at the present time.

Third Readings

House Bill No. 221, An act relating to contracts of married women.

House Bill No. 239, An act relative to allowances for personal services in the settlement of estates.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of Mrs. Brooks of Claremont at 12:45 o'clock the House adjourned.

THURSDAY, MARCH 29, 1951

The House met according to adjournment.

Prayer was offered by Rev. John N. Feaster, D.D., North Congregational Church, Portsmouth, N. H.

Almighty God, our Eternal Father, we bow in reverence before Thy majesty, power, and love. We rejoice that we are not frail children of dust and time, but immortal sons of Thee. We thank Thee that Thou hast placed us in this fair earth and hast given us the ability to create order from the chaotic, beauty from mud, dreams and hopes from ashes. Help us in our time to throw our efforts on the side of the true and enduring and wholesome.

We invoke Thy blessing upon this assemblage, upon our state and nation, and may we all strive without selfishness or favoritism to make our land a splendid colony of Heaven.

Leaves of Absence

Mrs. Morey of Hart's Location and Mr. Pinkham of Northwood were granted leaves of absence for the day on account of important business.

Mr. Dwyer of Manchester was granted leave of absence for the day on account of illness.

(Mr. Sanborn of Wakefield in Chair)

Engrossed Bills Report

Mrs. Corliss of Manchester, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 123, An act relative to purchase of state insurance and public state official and employee bonds.

House Bill No. 255, An act relative to computation of average weekly wages under workmen's compensation.

House Bill No. 256, An act relative to compensation of death under workmen's compensation in certain cases.

House Bill No. 274, An act relative to the practice of chiropractic.

House Bill No. 369, An act relating to the approaches to the General John Sullivan and Alexander Scammell bridges.

House Joint Resolution No. 18, Joint resolution in favor of Daniel H. McLinn.

House Joint Resolution No. 33, Joint resolution relative to purchase of New Hampshire Digest.

The report was accepted.

Committee Reports

Mr. Wells of Newton, for the Committee on Judiciary, to whom was referred House Bill No. 17, An act to discharge the judgment of the state of New Hampshire against F. Gordon Kimball, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Judiciary, to whom was referred House Bill No. 17, An act to discharge the judgment of the state of New Hampshire against F. Gordon Kimball, and being unable to agreed with the major-

ity, reported the same with the recommendation that the bill ought to pass.

NORMAN PELLETIER,
HILDA C. F. BRUNGOT,
LAURENCE M. PICKETT,
A Minority of the Committee.

The reports were accepted.

Mr. Spaulding of Hudson moved that the bill, with the reports pending, be laid upon the table and made a special order for Tuesday, April 3 at 11:01 o'clock.

The question being on the motion.

(Discussion ensued)

Mr. Spaulding of Hudson spoke in favor of the motion.

On a *viva voce* vote, the motion prevailed.

Mr. Wadleigh of Milford, for the Committee on Judiciary, to whom was referred House Bill No. 168, An act to implement civil defense powers, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Hill of Conway, for the Committee on Judiciary, to whom was referred House Bill No. 180, An act relative to town manager plan, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Sawyer of Concord, for the Committee on Judiciary, to whom was referred House Bill No. 189, An act relative to voting for county commissioners by districts, reported the same with the following amendment, and the recommendation that the bill, as amended, be referred to a Special Committee consisting of the Merrimack County Delegation.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Limitation of Voting.* Amend section 15 of chapter 45 of the Revised Laws by striking out said section and inserting in place thereof the following: 15. *Commissioners: Eligibility, Voting and Election.* In the foregoing counties, no person shall be eligible to be a candidate for county commis-

sioner except from the district in which he is a resident. The inhabitants of said counties may vote for not more than one candidate from each district, provided, however, that qualified voters in each district of Merrimack county may vote for not more than one candidate from the district in which such Merrimack county voters are resident. The candidate receiving the highest number of votes in any one district shall be elected county commissioner from that district.

The report was accepted.

The bill, with the amendment pending, was referred to a Special Committee consisting of the Merrimack County Delegation.

Miss Horner of Thornton, for the Committee on Municipal and County Government, to whom was referred House Bill No. 59, An act relative to recording fees for town clerks, reported the same with the following amendment, and the recommendation that the bill, as amended, ought to pass.

Amend section 2 of the bill by striking out the words "not receiving a salary from his town" in the fourth and fifth and fifteenth lines and inserting in place thereof the words, whose official income is derived in part or entirely from fees, so that said section, as amended, shall read as follows:

2. *Town Clerks.* Amend section 5 of chapter 219-A of the Revised Laws, as inserted by chapter 27, Laws of 1949, by adding at the end thereof the following: provided, however, that in any case where the copy is made by a town clerk whose official income is derived in part or entirely from fees, a charge for services hereunder shall be made and the town shall reimburse the clerk for said charges, so that said section as amended shall read as follows: 5. *Copies of Public Records.* When a copy of any public record is required by the veterans administration to be used in determining the eligibility of any person to participate in benefits made available by the veterans administration, the official custodian of such public record shall without charge provide the applicant for such benefits or any person acting on his behalf or the authorized representative of the veterans administration with a certified copy of such record; provided, however, that in any case where the copy is made by a town clerk whose official income is derived in part or entirely from fees, a charge for services hereunder

shall be made and the town shall reimburse the clerk for said charges.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mrs. Richards of Exeter spoke in favor of the amendment.

On a *viva voce* vote, the amendment was adopted and the bill ordered to a third reading.

Mrs. Richards of Exeter moved that the rules be suspended and House Bill No. 59 be put upon its third reading and final passage, by title, at the present time.

On a *viva voce* vote, the motion prevailed.

The bill was read a third time and passed, and sent to the Senate for concurrence.

Miss Horner of Thornton, for the Committee on Municipal and County Government, to whom was referred House Bill No. 131, An act to amend fees paid by towns for services, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Miss Horner of Thornton, for the Committee on Municipal and County Government, to whom was referred House Bill No. 222, An act relative to the fees of public weighers, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Miss Horner of Thornton, for the Committee on Municipal and County Government, to whom was referred House Bill No. 309, An act relative to payments by tax collector, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

On motion of Mr. Leach of Rochester, the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Leach of Rochester, for the Committee on Transportation, to whom was referred Senate Bill No. 36, An act relative to furnishing financial responsibility, and reports required after motor vehicle accidents, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 287, An act relative to construction, equipment and furnishing of a new state office building.

The message also announced that the Senate had voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 171, An act relative to purchase and sale of poultry.

Amend section 1 of said bill by striking out the first eleven lines and inserting in place thereof the following:

1. *Purchase and Sale of Poultry.* Amend section 1 of chapter 199 of the Revised Laws by striking out said section and inserting in place thereof the following: 1. *License Required.* No person shall engage in the business of buying or selling live poultry in this state the meat or product of which is to be sold or used for food unless he has a license from the commissioner of agriculture. Licenses shall be issued in two forms: (1) An unlimited license to each person who shall furnish a bond with sufficient surety in an amount to be determined by the commissioner, but not to exceed ten thousand dollars, payable to the state of New Hampshire and conditioned for the faithful performance of all legal obligations incurred in the buying and selling of live poultry the meat or product of which is to be sold or used for food: such

On motion of Mr. Brown of Stratham the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

Reconsideration

Mr. Desilets of Berlin moved that on today or some subsequent day the vote whereby House Bill No. 334, An act authorizing the establishment of substation for motor vehicle registration and operator's licenses in Coos county, was voted inexpedient to legislate, be reconsidered.

Mr. Leach of Rochester moved that the House reconsider the vote at the present time.

The question being on the motion.

(Discussion ensued)

Mr. Leach of Rochester spoke in favor of the motion.

On a *viva voce* vote, the motion to reconsider did not prevail.

Motion to Recall

Mr. Geisel of Manchester moved that House Bill No. 239 be recalled from the Senate.

The question being on the motion to recall.

(Discussion ensued)

Messrs. Perkins of Concord and Turner of Keene spoke against the motion.

Mr. Geisel of Manchester withdrew his motion.

Introduced to House

Mr. William Hall of Langdon

Mr. Hall celebrated his 101st birthday last Friday.

Mr. Hall has served his town in many offices, including that of selectman, town clerk, town treasurer, and on the school committee.

In 1925 he was sent as Representative to the General Court, and served on the Committee for Retrenchment and Reform.

In 1939 he had the honor of being the oldest member of the House, and served on the Committee on Incorporations, also the Committee on Towns and Counties.

Active in the Grange, he has filled most of the chairs, and is noted for the many recitations which he learned while milking the cows and doing other farm work.

He vividly recalls when the news of the assassination of Lincoln reached his home town.

On March 13, this year, Mr. Hall attended Town Meeting as usual.

Today he is here to see how we are running the affairs of state.

Mr. Spaulding of Hudson moved that when the House adjourns today it adjourns in honor of Mr. Hall.

The motion was unanimously adopted by a rising vote.

Resolution

Mr. Young of Pittsfield offered the following resolution:

Whereas, there is now pending before the House of Representatives House Bill No. 142, An act to compel the Boston and Maine Railroad to restore the double track on its line to Boston between Concord and the State line; and

Whereas, questions have been raised concerning the necessity for this legislation and concerning its constitutionality;

Resolved, that the Justices of the Supreme Court be respectfully requested to give their opinion upon the following questions of law:

1. Does the Public Service Commission or any other state agency possess power and authority under existing law to require said Railroad to restore the line of track already removed between Concord and Nashua and to cease and desist from further removal of such track?

2. If the answer to the first question is in the negative, does any provision of said House Bill No. 142 violate the constitution of New Hampshire or the constitution of the United States?

Further Resolved, That the Speaker of the House transmit a copy of this resolution and of House Bill No. 142 to the Clerk of the Supreme Court.

The question being on the resolution.

Mr. Bass of Peterborough moved that the resolution be referred to the Committee on Transportation.

The question being on the motion of Mr. Bass.

(Discussion ensued)

Messrs. Bass of Peterborough and Fernald of Rochester and Mrs. Miller of Fitzwilliam spoke in favor of the motion.

Messrs. Pickett of Keene and Young of Pittsfield spoke against the motion.

Mr. Bass of Peterborough withdrew his motion.

On a *viva voce* vote, the resolution was adopted.

On motion of Mr. Wadleigh of Milford business in order at 3:00 o'clock was made in order at the present time, and the rules were suspended and the third reading of bills were by their titles only, and when the House adjourns today it adjourns to meet Tuesday at 11:00 o'clock.

Third Readings

House Bill No. 180, An act relative to town manager plan.

House Bill No. 222, An act relative to the fees of public weighers.

House Bill No. 309, An act relative to payments by tax collector.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 36, An act relative to furnishing financial responsibility and reports required after motor vehicle accidents.

Read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mr. Moulton of Ossipee at 12:10 o'clock the House adjourned.

TUESDAY, APRIL 3, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

Almighty God, Thou God of justice, peace and righteousness, as we behold the evils of individuals and of nations, help us to more fully sense the need of a power that is greater than the sword, a wealth that is richer than that designated by the

dollar sign, and a statesmanship that is bigger than partisanship. May we fervently make the words of the poet our prayer:

"O God and Father of us all,
Lift from the world its darkening pall;
Forgive our madness, sin and strife,
Turn our goals from death to life.
Create in us a zeal for right,
Help us share our Candle's light,
Impel our hearts to seek Thy Way,
Guide us to peace, O God, we pray!
Amen."

Leaves of Absence

Messrs. Fernald of Rochester and Turner of Keene were granted leaves of absence for the day on account of important business.

Mr. Thompson of Winchester was granted leave of absence for the day on account of illness.

Mrs. Studley of Rochester was granted leave of absence for today and tomorrow on account of illness in family.

Mr. Evans of Lancaster was granted leave of absence for the week on account of important business.

Mr. Henderson of Durham was granted leave of absence until further notice on account of illness.

Engrossed Bill Report

Mrs. Shields of Berlin, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 171, An act relative to purchase and sale of poultry.

House Bill No. 287, An act relative to construction, equipment and furnishing of a new state office building.

The report was accepted.

Committee Reports

Mr. Turner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 148, An act relating to foreign corporations doing business in the state, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Turner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 308, An act relating to investments of trust funds of the Industrial School and cemetery corporation, reported the same with the following amendment, and the recommendation that the bill as amended, ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relating to investment of trust funds by towns and cities, cemetery corporations and state institutions.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Trust Funds.* Amend section 23, of chapter 51 of the Revised Laws, by striking out said section and inserting in place thereof the following: 23. *Custody; Investments.* The trustees shall have the custody of all trust funds held by their town or city. The funds shall be invested in those investments allowed for trustees of estates under the provisions of section 17, of chapter 363, of the Revised Laws, as amended by chapter 134, Laws of 1949. When so invested the trustees shall not be liable for the loss thereof.

2. *Repeal.* Section 23-a of chapter 51 of the Revised Laws, as inserted by section 2, chapter 85, Laws of 1945, relative to investments by a single trustee, is hereby repealed.

3. *Common Trust Funds.* Amend chapter 51 of the Revised Laws by inserting after section 31 the following new sections: 31-a. *Collective Investments.* Notwithstanding any statute or rule of law to the contrary, town and city trustees of trust funds may establish, maintain and operate one or more common trust funds, in which may be combined money and property belonging to the various trusts in their care, for the purpose of facilitating investments, providing diversification and obtaining reasonable income; provided, however, that said common trust funds shall be limited to the investments authorized in section 23 of this chapter; provided, further, that not more than ten thousand dollars of any town or city common trust funds shall be invested under section 23 in the obligations of any one corporation or organization, except-

ing obligations of the United States and of the State of New Hampshire and its subdivisions; and provided, further, that the participating contributory interests of said trusts are properly evidenced by appropriate bookkeeping entries showing on an annual basis the capital contribution of and the profits and income allocable to each trust. 31-b. *Contributions and Withdrawals.* Contribution to any common trust fund shall be made on the basis of its market value at the time such contribution is recorded in the books of the trustees. The withdrawal of a particular trust fund from any common trust fund shall be made proportionately on the basis of the market value of said common trust fund at the time such withdrawal is recorded in the books of the trustees. 31c. *Exception.* The provisions of section 31-a shall not apply where the instrument creating the particular trust specifically prohibits collective investment or where such investment shall violate any specific court order made in any particular trust. 31-d. *Reports.* A copy of the reports required of the town and city trustees and of the auditor thereof shall be filed annually with the attorney-general. 31-e. *Application.* The provisions of sections 23, 31-a, 31-b, 31-c and 31-d shall be construed liberally to effectuate the purposes stated in section 31-a.

4. *Cemetery Corporations.* Amend chapter 68 of the Revised Laws by inserting after section 12 the following new sections: 12-a. *Investments.* Cemetery corporations holding funds in trust as provided in section 12 may establish, maintain and operate common trust funds as provided in sections 31-a, 31-b, 31-c and 31-e of chapter 51 of the Revised Laws. 12-b. *Reports.* A copy of the annual financial report of such corporations shall be filed with the attorney general unless otherwise required by law to file such a report with any town, city, county or state agency.

5. *State Trust Funds.* Amend section 5 of chapter 210 of the Laws of 1943 by striking out said section and inserting in place thereof the following: 5. *Investment of State Trust Funds.* The state agencies administering state trust funds may establish, maintain and operate common trust funds as provided in sections 23, 31-a, 31-b and 31-c of chapter 51 of the Revised Laws.

6. *Accounts.* Amend section 7 of chapter 210 of the Laws of 1943 by striking out said section and inserting in

place thereof the following: 7. *Accounts.* The agencies designated to administer the trust funds specified in section 1 shall keep appropriate bookkeeping records showing on an annual basis the amount of each trust fund and the profits and income allocable to each trust. A copy of such records shall be approved annually by the governor and council and filed with the state treasurer.

7. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted.

The bill, with the amendment pending, was laid upon the table, under Rule 48, to be taken up April 5.

Mr. Foote of Portsmouth, for the Committee on Liquor Laws, to whom was referred House Bill No. 85, An act relating to prohibited sales of alcoholic beverages, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee, inexpedient to legislate.

Mr. Pillsbury of Manchester moved that House Bill No. 85 be recommitted to the Committee on Liquor Laws.

The question being on the motion to recommit.

(Discussion ensued)

Mr. Pillsbury of Manchester spoke in favor of the motion.

On a *viva voce* vote the motion appeared not to prevail.

Mr. Gauthier of Manchester asked for a division.

A division being had, 181 members having voted in the affirmative and 130 members having voted in the negative, House Bill No. 85 was recommitted to the Committee on Liquor Laws.

Mr. Foote of Portsmouth for the Committee on Liquor Laws, to whom was referred House Bill No. 86, An act relating to the sale and manufacture of cider, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Winters of Rochester, for the Committee on Military and Veterans' Affairs, to whom was referred House Joint Resolution No. 17, Joint resolution relating to the preservation of historic military flags, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted, and the joint resolution referred to the Committee on Appropriations under the rules.

Mrs. Winters of Rochester, for the Committee on Military and Veterans' Affairs, to whom was referred House Bill No. 294, An act relative to the military rank of the adjutant-general, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Adjutant General.* Amend section 21 of chapter 143 of the Revised Laws, as amended by section 1, chapter 175, Laws of 1949, by striking out the words "of brigadier-general" in the second line and inserting in place thereof the words, initially of brigadier-general but who after five years' service in that rank may be appointed to the rank of major-general, so that said section as amended shall read as follows: 21. *Staff.* The staff of the commander-in-chief shall consist of the adjutant-general, with the rank initially of brigadier-general but who after five years' service in that rank may be appointed to the rank of major-general, who shall be chief of staff, and twelve aides-de-camp, four of whom shall be detailed from the national guard and four appointed from those who served in the United States air forces, army, navy, or marine corps, in any war. The remaining four may be appointed from officers or ex-officers of the United States air forces, army, navy, or marine corps, or of the national guard, or of the various officers' reserve corps, or from civil life.

Further amend said bill by inserting after section 1 the following new section:

2. Amend section 36 of chapter 143 of the Revised Laws by inserting after the word "years" in the third line the words, except the adjutant-general who shall hold office until he shall have reached the age of sixty-five years; and further amend said section by inserting after the word "unless" in the third line the words, such officers have been, so that said section as amended shall read as follows: 36. *Service Period.* All offi-

cers, including staff officers, hereafter appointed under the provisions of this chapter shall hold their positions until they shall have reached the age of sixty-four years, except the adjutant-general who shall hold office until he shall have reached the age of sixty-five years, unless such officers have been retired prior to that time by reason of resignation or disability, or for cause to be determined by a court-martial legally convened for that purpose. Vacancies among staff officers, including officers of the pay, inspection, subsistence and medical departments, shall be filled by appointment from the officers of the militia of the state.

Further amend said bill by renumbering section 2 to read section 3.

The report was accepted.

The bill, with the amendment pending, was laid upon the table under Rule No. 48 to be taken up April 5.

Mrs. Winters of Rochester, for the Committee on Military and Veterans' Affairs, to whom was referred House Bill No. 325, An act approving the act of the governor in signing the Interstate Compact for Civil Defense, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Willey of Campton, for the Committee on Municipal and County Government, to whom was referred Senate Bill No. 51, An act legalizing the proceedings of the special meeting of the Penacook and Boscawen Water Precinct held on January 18, 1951, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Green of Rollinsford, for the Committee on Municipal and County Government, to whom was referred House Bill No. 94, An act relative to salaries and expenses of county solicitors, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Miss Horner of Thornton, for the Committee on Municipal and County Government, to whom was referred House Bill No. 298, An act legalizing the election of November, 1950, in the town of Alstead, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Miss Horner of Thornton, for the Committee on Municipal and County Government, to whom was referred House Bill No. 299, An act to legalize the biennial election held in the town of Wilton, November 7, 1950, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Miss Horner of Thornton, for the Committee on Municipal and County Government, to whom was referred House Bill No. 352, An act legalizing the adoption of zoning ordinances in the town of Hampton, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mrs. Corliss of Manchester, for the Special Committee consisting of the members from the City of Manchester, to whom was referred Senate Bill No. 14, An act relative to hours of duty for members of the Manchester Fire Department, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Sullivan, of Ward 7, Manchester, moved that the rules be suspended, and Senate Bill No. 14 be put upon its third reading and final passage, by title, at the present time.

On a *viva voce* vote the motion prevailed.

The bill was read a third time and passed, and sent to the Secretary of State to be engrossed.

Reconsideration

Mr. Sullivan, of Ward 7, Manchester, moved that the House reconsider its vote whereby it passed Senate Bill No. 14.

On a *viva voce* vote the motion to reconsider did not prevail.

Special Order

Mr. Spaulding of Hudson called for the special order.

Mr. Wells of Newton, for the Committee on Judiciary, to whom was referred House Bill No. 17, An act to discharge the judgment of the State of New Hampshire against F. Gordon Kimball, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Judiciary, to whom was referred House Bill No. 17, An act to discharge the judgment of the State of New Hampshire against F. Gordon Kimball, and being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

NORMAN PELLETIER,
HILDA C. F. BRUNGOT,
LAURENCE PICKETT,
A Minority of the Committee.

Mr. Pickett of Keene moved that the report of the minority, ought to pass, be substituted for the report of the majority, inexpedient to legislate.

The question being on the motion to substitute.

(Discussion ensued)

Mrs. Brungot of Berlin and Messrs. Brown of Laconia, Pickett of Keene, Spaulding of Hudson, and Ferguson of Pittsfield spoke in favor of the motion.

Messrs. Wells of Newton, Plumer of Bristol, Barney of Rumney, Clarke of Canaan, Perkins of Concord, Turner of Keene, and Sanborn of Wakefield spoke against the motion.

Mr. Spaulding of Hudson moved the previous question.

The question being: Shall the main question now be put?

On a *viva voce* vote the previous question was ordered. The question being on the motion to substitute.

On a *viva voce* vote the Chair was in doubt.

Mr. Hart of Wolfeboro demanded the Yeas and Nays and the roll was called, with the following result:

Yeas, 184

CARROLL COUNTY: Nickerson.

MERRIMACK COUNTY: Ellsworth, Nicoll, Moore, Vogel, Marden, Dodge, Ferrin, Loiselle, Blodgett of Concord, Ward 4,

Kennedy of Concord, Hurd, Corbett, O'Neil of Concord, Saltmarsh, Tilton of Concord, Brunel, Bunten, Freeman of Concord. Greene of Concord, Nawn, Hadley, Chase of Franklin, DuDevoir, Smith of Loudon, Lea, Ferguson, Young.

HILLSBOROUGH COUNTY: Reed, Doonan, Crosby, Spaulding of Hudson, Cummings of Lyndeborough, Corliss, Kennedy of Manchester, Pettigrew, Danforth, Geisel, Pillsbury, Connor, Dwyer, Sweeney, Fitzgerald, Kean, Ellis, Healy of Manchester, Ward 5, Kazakis, Proulx, Shea of Manchester, Casey, Cavanaugh, Clancy, Ecker, Zyla, Downey, Marcoux, Sullivan of Manchester, Constant, Delisle, Roy of Manchester, Cary, Gagnon, Auger, Getz, Kearns, Roche, Roukey, Lareau, Soucy, Vaillancourt, Daniel, Gauthier, Thibodeau, Cannon, Donnelly, Wedick, Peaslee, Boire, Maynard of Nashua, Ward 3, Brosnahan, Cote, Marquis, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Chartrain, Dupont, Ryan, Cormier, Pelletier of Nashua, Ward 8, Pelletier of Nashua, Ward 9, Ashley of New Ipswich, French of Weare, Barry.

CHESHIRE COUNTY: Kirk, Bennett, Erwin, Pickett, Sherwin, Lang, Billings.

SULLIVAN COUNTY: Angus, Converse, Bissonett, Perry of Newport, Callum.

GRAFTON COUNTY: Avery, Lorden, Fuller, Holden of Hanover, Ashley of Lebanon, Gardner, Kelley, Burrill, Bell, Huckins, Anderson, Gilbert.

COOS COUNTY: Dussault, Hinchey, Desilets, Henderson of Berlin, Sheridan, Brungot, Morel, Sullivan of Berlin, Bouchard, Fontaine, Laforce, Roy of Berlin, Rines, Fraser, Malloy, Kimball, Simonds, Christopher, Ellingwood, Stinson.

ROCKINGHAM COUNTY: Lindahl, Clark of Derry, Cushing, Hepworth, Richards, McCaffery, Sheehy, Holden of Newington, Labranche of Newmarket, Sewall, Pinkham, McDaniel, Dondero, Foote, Yeaton, Leary, Smart, Ingraham of Portsmouth, Haigh, Peever, Durkee.

STRAFFORD COUNTY: Chase of Dover, Marcotte of Dover, Shaheen, Fellows, Carroll, Crandall, Flanagan, Blanchard, Parker, Caldwell, Rolfe, Dustin, Lacasse, St. Pierre, Leach, Lagueux, Letourneau, Malley, Brown of Strafford.

BELKNAP COUNTY: Perkins of Alton, McAllister, Tilton of Laconia, Ward 3, Tilton of Laconia, Ward 4, O'Shan, Brown of Laconia.

Nays, 174

CARROLL COUNTY: Washburn, Benson, Downs, Hill, Morey, Lamprey, Moulton, Knox, Remick, Hodgdon, Sanborn, Hart of Wolfeboro, McHugh.

MERRIMACK COUNTY: Tebbetts, Tobey, Perkins of Concord, Blodgett of Concord, Ward 8, Sawyer of Concord, Sargent, Towle, Burke, Ayotte, Charland, Maxwell, Mason, Davis of Hopkinton, Milligan, Wilman, Powell, Chandler, Sawyer of Wilmot.

HILLSBOROUGH COUNTY: Holmes, Wilson, French of Bedford, Black, Farwell, Hambleton, Poore, English, Sterling, Goodwin, Abbott, Martel, Healy of Manchester, Ward 6, Falconer, Nelson, Wadleigh, Cooper, Ramsdell, Underhill, Record, Belcourt, Grandmaison, Janelle, Bouthillier, Locke of New Boston, Mailloux, Bass, Cummings of Peterborough, Hines.

CHESHIRE COUNTY: Burnham, Dort, Jackson, Miller of Fitzwilliam, Rathbun of Harrisville, Walker, Perry of Jaffrey, Spofford, O'Neil of Keene, Landers, Wheeler, Codding, Turner, Kershaw, Worcester, Rhodes, Ingham of Winchester.

SULLIVAN COUNTY: Bascom, Frizzell, Brooks, Millar of Claremont, Nahil, Baron of Claremont, Carton, Marcotte of Claremont, Carter of Cornish, Bailey, Rowell, Vaughan, Pierce, Gamsby.

GRAFTON COUNTY: Gingras, Chamberlin of Bath, Plumer, Clarke of Canaan, Grass, Williams, Atkins, Chamberlin of Haverhill, McMeekin, Sleeper, Crafts, Adams, Cole, Jones, Randall, Griffin of Lincoln, Collins of Lisbon, Martin of Littleton, Pushee, Skinner, Howard, Barney, Horner, Woodward, Sawyer of Woodstock.

COOS COUNTY: Shields, Cummings of Colebrook, Gould, Oakes, Emerson, Means, Hilliard, Placey.

ROCKINGHAM COUNTY: Tuttle, Griffin of Auburn, Libby, Wastcoat, Hazelton, Darbe, Gay, Freeman of East Kingston, Fecteau, Eldredge, Kendall, Rathbone of Exeter, LeComte, Bonney, Putnam, Merrill, Ring, Thurlow, Eastman, McNeil,

Hall of Londonderry, Wells, Carter of No. Hampton, Colcord, Davis of Portsmouth, Sukeforth, Durell, Dame, Bluitte, Philbrick, Scamman.

STRAFFORD COUNTY: Swain, Felker, Locke of Dover, Horne, Maxfield, Green of Rollinsford, Cater of Somersworth.

BELKNAP COUNTY: Boutin, Weeks, Osborne, Hart of Laconia, Simoneau, Keller, Thompson of Laconia, Ransom, Smith of Meredith, Matthews, Atwood, Metcalf.

Mr. Putney of Andover voting Yes, paired with Mr. Lamson of New London voting No.

Mr. Walsh of Keene voting Yes, paired with Mr. Waterhouse of Windham voting No.

Mr. Willey of Campton voting Yes, paired with Mr. Normandin of Laconia voting No.

Mr. Karkavelas of Dover voting Yes, paired with Mrs. Winters of Rochester voting No.

And the motion to substitute the report of the minority, ought to pass, for the report of the majority, inexpedient to legislate, prevailed.

The bill was ordered to a third reading.

Resolution

Mr. Sanborn of Wakefield offered the following resolution:

Whereas, we have learned of the illness of Oren V. "Dad" Henderson, Representative from Durham for several sessions, former Speaker of the House of Representatives and former Member of the Governor's Council, who is in the Exeter Hospital, therefore be it

Resolved, That we, the members of the House of Representatives, hereby extend to our fellow member our sympathy to him in his illness and our very best wishes for a speedy recovery to health, and be it further

Resolved, That when the House adjourns today it be in tribute to him, and be it further

Resolved, That the Clerk of the House transmit to "Dad" a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended and business in order at 3 o'clock was made in order at the present time, and the third reading of bills were read by their titles, only.

Third Readings

House Bill No. 17, An act to discharge the judgment of the State of New Hampshire against F. Gordon Kimball.

Read a third time.

The question being, Shall the bill pass?

Mr. Scamman of Stratham asked for a division.

A division being had, 186 members having voted in the affirmative, and 165 members having voted in the negative, the bill passed and was sent to the Senate for concurrence.

Reconsideration

Mr. Pickett of Keene moved that the House reconsider the vote whereby it passed House Bill No. 17.

On a *viva voce* vote the motion to reconsider did not prevail.

House Bill No. 298, An act legalizing the election of November, 1950 in the town of Alstead.

House Bill No. 299, An act to legalize the biennial election held in the town of Wilton, November 7, 1950.

House Bill No. 325, An act approving the act of the governor in signing the Interstate Compact for Civil Defense.

House Bill No. 352, An act legalizing the adoption of zoning ordinances in the town of Hampton.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 51, An act legalizing the proceedings of the special meeting of the Penacook and Boscawen Water Precinct held on January 18, 1951.

Read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mr. Pillsbury of Manchester at 2:05 o'clock the House adjourned.

WEDNESDAY, APRIL 4, 1951

The House met according to adjournment.

Prayer was offered by Rev. Richard O. Bonner, Diocesan Director of Camp Fatima, St. John Evangelist Rectory of Concord, N. H.

Leaves of Absence

Messrs. Thompson of Laconia and Holden of Newington were granted leaves of absence for the day on account of important business.

Mr. Hazelton of Chester was granted leave of absence for Wednesday and Thursday on account of illness in family.

Committee Reports

Mr. Wells of Newton, for the Committee on Judiciary, to whom was referred House Bill No. 270, An act establishing the New Hampshire Power Authority and defining its powers and duties, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee, inexpedient to legislate.

Mr. Kazakis of Manchester moved that the words "ought to pass" be substituted for the resolution of the committee, inexpedient to legislate.

The question being on the motion to substitute.

(Discussion ensued)

Mr. Kazakis of Manchester spoke in favor of the motion.

Mr. Wells of Newton spoke against the motion.

On a *viva voce* vote the motion to substitute did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Reconsideration

Mr. Scamman of Stratham moved that the vote be reconsidered whereby it voted as inexpedient to legislate House Bill No. 270.

On a *viva voce* vote the motion to reconsider did not prevail.

Mr. Kazakis of Manchester demanded the Yeas and Nays but subsequently withdrew his demand.

Mr. Pickett of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 284, An act relating to trespassing on posted land, reported the same with the following amendment, and the recommendation that the bill, as amended, ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Trespasses.* Amend section 7 of chapter 442 of the Revised Laws by striking out the words "upon which has been posted a notice forbidding trespass" in the third line, and further amend said section by adding after the word "vine" in the fourth line the words, or the fruit, flower or the product thereof, so that said section as amended shall read as follows: 7. *Gardens, etc.* Whoever wilfully or without right enters the orchard, nursery, garden, or improved land of another, or the unimproved land of another and destroys or injures any tree, shrub, or vine, or the fruit, flower, or the product thereof, or steals, takes, or carries away the same or any livestock or poultry, or so enters with intent to do any of said acts, shall be fined not exceeding one hundred dollars, or imprisoned not exceeding six months, or both. Whoever knowingly sells or offers for sale any property taken in violation of the provisions of this section shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days, or both.

Further amend said bill by adding after section 1 the following new sections:

2. *Posted Land.* Amend chapter 442 of the Revised Laws by inserting after section 14 the following new sections: 14-a. *Penalty.* Whoever without right enters upon the cultivated land of another which has been posted with notices as described in section 14-b shall be fined not more than fifty dollars or imprisoned not more than six months, or both. 14-b.

Notices. The notices referred to in section 14-a shall conform to the following requirements: They shall be of durable material with the words NO HUNTING or TRESPASSING, printed with block letters not less than two inches in height, and shall contain also the name and address of the owner of such land. Such signs shall be not more than one hundred yards apart and shall be posted also at the gates, bars and commonly used entrances. 14-c. *Definition.* Cultivated land within the meaning of this chapter is defined as land from which a crop is annually taken or upon which domestic animals annually graze including open pasture and land which is either burned or cut over once in every two years. 14-d. *Limitation.* Any person who posts his land in conformity with the foregoing section shall forfeit his right to collect damages from game or game birds as provided in sections 20 and 21 of chapter 241 of the Revised Laws, as amended, except that this provision shall not apply to any person who posts only his land lying within two hundred yards of his dwelling or other farm or out building contiguous to his dwelling and used regularly by him, his family or tenant.

3. *Fish and Game Licenses.* Amend section 11 of chapter 247 of the Revised Laws by striking out the word and figures "7 and 12" in the fourth line and inserting in place thereof the figures and word, 7, 12 and 14-a, so that said section as amended shall read as follows: 11. *Revocation for Conviction.* The director may revoke the license of any person who has been found guilty in any court of a violation of any provision of this title or any rule or regulation of the director, or who has been found guilty in a municipal court of a violation of sections 7, 12 and 14-a of chapter 442 prohibiting trespassing upon improved land or destroying fences. Such revocation shall not continue for more than one year from the date thereof. The director shall revoke the license of any person who has been found guilty in any court a second time within five years of the first finding of guilt, of a violation of any such laws or regulations, for a period of not less than one, nor more than three years from the date of such finding or conviction.

Further amend said bill by renumbering section 2 to read section 4.

The report was accepted.

Mr. Fernald of Rochester moved that House Bill No. 284 and the accompanying amendment be laid upon the table to be printed and made a special order for Tuesday, April 17, at 11:01 o'clock.

The question being on the motion.

(Discussion ensued)

Messrs. Fernald of Rochester and Pickett of Keene spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mr. Kirk of Keene, for the Committee on Labor, to whom was referred House Bill No. 263, An act forbidding employers to charge individuals a fee for a medical examination, as a condition of employment subject to certain restrictions, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Wilson of Antrim, for the Committee on Labor, to whom was referred House Bill No. 290, An act relative to child labor, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Gay of Derry, for the Committee on Labor, to whom was referred House Bill No. 339, An act relative to the duties of the director of the division of employment security, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Hill of Conway, for the Committee on Judiciary, to whom was referred House Bill No. 185, An act relative to divorce decrees, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Judiciary, to whom was referred House Bill No. 185, An act relative to divorce decrees, and being unable to agree with the

majority, reported the same with the recommendation that the bill ought to pass.

DANIEL J. HEALY,
NORMAND R. PELLETIER,
A Minority of the Committee.

The report was accepted.

Mr. Martel of Manchester moved that the bill be laid upon the table and made a special order for Tuesday, April 10, at 11:01 o'clock.

The question being on the motion.

(Discussion ensued)

Messrs. Martel of Manchester and Angus of Claremont spoke in favor of the motion.

Mrs. Brungot of Berlin and Messrs. Perkins of Concord and Eldredge of Exeter spoke against the motion.

Mr. Pickett of Keene moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion for a special order.

On a *viva voce* vote the motion did not prevail.

Mr. Martel of Manchester asked for a division.

A division being had, 74 members having voted in the affirmative and 226 members having voted in the negative, the motion for a special order did not prevail.

Mr. Martel of Manchester moved that the report of the minority, ought to pass, be substituted for the report of the majority, inexpedient to legislate.

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Martel of Manchester, Charland of Franklin, Ecker of Manchester, Reed of Goffstown and Chandler of Warner spoke in favor of the motion.

(Mr. Turner of Keene in Chair)

Messrs. Hill of Conway, Tilton of Ward 4, Laconia, Gagnon of Manchester and Perkins of Concord spoke against the motion.

(Speaker in Chair)

Mr. French of Bedford moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute.

On a *viva voce* vote the motion to substitute the report of the minority, ought to pass, for the report of the majority, inexpedient to legislate, did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

(Discussion ensued)

Mr. Martel of Manchester spoke against the motion.

On a *viva voce* vote the resolution of the committee, inexpedient to legislate, was adopted.

Mr. Martel of Manchester asked for a division, but subsequently withdrew his request.

Special Order

Mr. O'Shan of Laconia called for the special order.

It being, Mr. Bass of Peterborough, for the Committee on Ways and Means, to whom was referred House Bill No. 35, An act relative to property exemption for veterans, reported the same with the amendment as printed in the Journal of March 28, and the recommendation that the bill as amended ought to pass.

The undersigned, a minority of the Committee on Ways and Means, to whom was referred House Bill No. 35, An act relative to property exemption for veterans, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

JAMES F. MALLEY,
DENIS F. CASEY,
JOHN J. KEARNS,
SHIRLEY BRUNEL,
A Minority of the Committee.

Mr. O'Shan of Laconia moved that the bill, with the reports, be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Messrs. Malley of Somersworth, Kearns of Manchester, Powell of Sutton, Betley of Manchester, Baron of Claremont, Willey of Campton, Angus of Claremont, Barry of Wilton and Means of Milan, and Mrs. Dondero of Portsmouth, spoke in favor of the motion.

Messrs. Bass of Peterborough, McMeekin of Haverhill, Sherwin of Rindge, Black of Bennington and Brown of Laconia, spoke against the motion.

Mr. Jones of Lebanon used the sign language to speak for the motion.

Mr. Lea of Pembroke moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

Mr. Bass of Peterborough asked for a division.

A division being had, 244 members having voted in the affirmative, and 96 members having voted in the negative, the bill was indefinitely postponed.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 167, An act to provide for the discontinuance of the previous New Hampshire Teachers' Retirement System and for the preservation of the rights and privileges of the present membership thereof.

House Bill No. 243, An act relative to purchasing procedures involving books and periodicals at state teachers colleges.

House Bill No. 347, An act relative to additional benefits under the policemen's retirement system.

The message further announced that the Senate had voted to non-concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 38, An act relating to the homestead right.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on En-

grossed Bills, to the following House bill, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 30, An act relative to annual reports of certain county officers.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relative to annual reports of certain county officers, justices of the probate courts, justices and clerks of municipal courts and clerks of superior courts.

Amend said bill by striking out the first five lines and inserting in place thereof the following:

1. *Annual Reports Required.* Amend chapter 50 of the Revised Laws by inserting after section 4 the following new section: 5. *To Be Filed.* Every justice of a probate court, sheriff, deputy sheriff, register of deeds, register of probate, justice and clerk of a municipal court, and clerk of a superior court on or before

On motion of Mr. Bass of Peterborough the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 53, An act legalizing the 1951 school district meeting in the town of Jackson.

Senate Bill No. 57, An act relative to election and qualification of school district officers.

Senate Bills Read and Referred

Senate Bill No. 53, An act legalizing the 1951 school district meeting in the town of Jackson.

Read a first and second time and referred to the Committee on Education.

Senate Bill No. 57, An act relative to election and qualification of school district officers.

Read a first and second time and referred to the Committee on Education.

On motion of Mr. Wadleigh of Milford the House adjourned from the morning session.

The House was immediately called in afternoon session.

On motion of Mr. Wadleigh of Milford, the rules were suspended to allow third readings of bills by their titles, only.

Third Readings

House Bill No. 263, An act forbidding employers to charge individuals a fee for a medical examination, as a condition of employment subject to certain restrictions.

House Bill No. 290, An act relative to child labor.

House Bill No. 339, An act relative to the duties of the director of the division of employment security.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of Mr. Colcord of Plaistow, at 3:05 o'clock the House adjourned.

THURSDAY, APRIL 5, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O Eternal God, through whose mighty power our forefathers won their liberties of old; grant, we beseech Thee, that we and all the people of this land, may have grace to maintain these liberties in righteousness and peace. Make us fit custodians of the great heritage that is ours. Endue with the spirit of wisdom those to whom in Thy name we entrust the authority of government, that there may be justice and peace at home, and that, through obedience to Thy law, we may show forth Thy praise among the nations of the world. And hasten Thou the time when men everywhere shall seek to do Thy will. We ask it in the name of the Prince of Peace. Amen.

Leaves of Absence

Messrs. Keller of Laconia, Brown of Laconia, and Cushing of Derry were granted leaves of absence for the day on account of important business.

Mrs. Holmes of Amherst and Mr. Tilton of Concord were granted leaves of absence for the day on account of illness.

Mr. Washburn of Bartlett was granted leave of absence for the day on account of attending a funeral.

Mrs. Studley of Rochester was granted leave of absence for the day on account of illness in family.

Engrossed Bills Report

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 167, An act to provide for the discontinuance of the previous New Hampshire Teachers' Retirement System and for the preservation of the rights and privileges of the present membership thereof.

House Bill No. 243, An act relative to purchasing procedures involving books and periodicals at state teachers colleges.

House Bill No. 280, An act providing for the classification of certain surface waters.

House Bill No. 347, An act relative to additional benefits under the policemen's retirement system.

Senate Bill No. 51, An act legalizing the proceedings of the Penacook and Boscawen Water Precinct held on January 18, 1951.

The report was accepted.

Committee Reports

Mr. Crosby of Hillsborough, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 249, An act relating to construction contracts at the University, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Fuller of Hanover, for the Committee on Insurance, to whom was referred House Bill No. 349, An act authorizing the formation of associations to conduct the business of reciprocal insurance exchanges and for the licensing of the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Nelson of Milford moved that the bill be recommitted to the Committee on Insurance.

The question being on the motion to recommit.

(Discussion ensued)

Mr. Nelson of Milford spoke in favor of the motion.

Mrs. Kendall of Exeter moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Mrs. Kendall of Exeter and Mrs. Cooper of Nashua and Messrs. Fuller of Hanover, Lamson of New London, and Chase of Dover spoke in favor of the motion.

Mr. Pillsbury of Manchester spoke against the motion.

Mr. Roche of Manchester moved the previous question.

The question being: Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the motion prevailed.

Mr. Nelson of Milford asked for a division.

A division being had, 200 members having voted in the affirmative and 98 members having voted in the negative, the bill was indefinitely postponed.

Mr. Sargent of Danbury, for the special committee consisting of the Committees on Judiciary and Fish and Game, to whom was referred House Bill No. 282, An act relative to hunting on privately owned land, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Reconsideration

Mr. Martel of Manchester served notice that today or some subsequent day, he would move to reconsider the vote whereby the House voted as inexpedient to legislate, House Bill No. 185, An act relative to divorce decrees.

Mr. Turner of Keene moved that the vote be reconsidered at the present time.

The question being on the motion of Mr. Turner of Keene.

(Discussion ensued)

Messrs. Turner of Keene and Perkins of Concord spoke in favor of the motion.

Mr. Martel of Manchester spoke against the motion.

Mr. Martel of Manchester asked for a division.

A division being had, the vote was declared manifestly in the negative, and the motion to reconsider did not prevail.

Mr. Tilton of Ward 4, Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 356, An act regarding the sale, transfer and possession of pistols, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Wedick of Manchester, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 292, An act relative to the transfer of the Cannon Mountain tramway fund, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate. (Covered by existing legislation.)

The report was accepted, and the resolution of the committee adopted.

Mr. Morel of Berlin, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 388, An act relative to activities of the forestry and recreation commission in connection with transfer of functions thereto by the reorganization act, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 14 of chapter 234 of the Revised Laws as inserted by section 8 of said bill by inserting after paragraph VI the following new paragraph:

VII. Payment of expenses pertaining to forest management of state forests and reservations. The amount set aside for this purpose shall not be less than $30,000 annually.

Further amend said bill by renumbering paragraph VII of said section 14 to read paragraph VIII.

The report was accepted, the amendment adopted, and the bill referred to the Committee on Appropriations under the rules.

Mrs. Winters of Rochester, for the Committee on Military and Veterans' Affairs, to whom was referred House Bill No. 294, An act relative to the military rank of the adjutant-general, reported the same with the amendment as printed in the Journal of April 3, 1951, and the recommendation that the bill as amended ought to pass.

The question being on the amendment.

(Discussion ensued)

Messrs. Black of Bennington, Hart of Walfeboro and Sanborn of Wakefield spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Turner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 308, An act relating to investments of trust funds of the Industrial School and cemetery corporation, reported the same with the amendment as printed in the Journal of April 3, 1951, and the recommendation that the bill as amended ought to pass.

The question being on the amendment.

Mr. Turner of Keene moved that the bill, with the amendment pending, be recommitted to the Committee on Judiciary.

The question being on the motion to recommit.

(Discussion ensued)

Messrs. Turner and Pickett of Keene and Wadleigh of Milford spoke in favor of the motion.

On a *viva voce* vote the bill was recommitted to the Committee on Judiciary.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 117, An act to regulate the practice of optometry.

House Bill No. 280, An act providing for the classification of certain surface waters.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 44, An act regulating school buses.

Senate Bill Read and Referred

Senate Bill No. 44, An act regulating school buses.

Read a first and second time, and referred to the Committee on Transportation.

Resolution

Mr. Pillsbury of Manchester offered the following resolution:

Whereas, Leon Anderson, through years of service in reporting the activities of the New Hampshire Legislature, has won the high regards of the people of New Hampshire, and

Whereas, "Andy," by unfailing courtesy and kindness, has won affection of the members of the House, and

Whereas, "Andy," in service to the State in many administrations, has made a large contribution to good government in New Hampshire, and

Whereas, "Andy," enriched by the years, will celebrate on Sunday next his last birthday this side of the half-century mark; now, therefore, be it

Resolved, That the House extends to "Andy" its high regard on his birthday and wishes him many more years of prosperity; and be it further

Resolved, That the Clerk of the House transmit to him a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford, business in order at 3:00 o'clock was made in order at the present time, and the third reading of a bill was read by its title, only, and that when the House adjourn today it adjourn to meet Tuesday morning at 11:00 o'clock.

Third Reading

House Bill No. 294, An act relative to the military rank of the adjutant-general.

Read a third time and passed, and sent to the Senate for concurrence.

Introduced to the House

Former Governor Huntley Spaulding was introduced to the House.

On motion of Mrs. Atwood of Sanbornton at 11:40 o'clock the House adjourned.

TUESDAY, APRIL 10, 1951

The House met according to adjournment.

Prayer was offered by Rev. Ethel Lee Matthews, Pastor the Bristol Baptist Church, Bristol, N. H.

Our Heavenly Father, as we humbly bow in Divine Presence, we welcome Thee as our unseen Guest here today. May our every thought, decision and act be under the guiding control of Thy Holy Spirit. Grant unto all, who shoulder the responsibility of our State, wisdom and strength from on high that they may please Thee in righteousness.

We thank Thee for the blessed privilege that is ours as Christians to start each new day with Thee, and as these Thy people start their business for today, may they have the mind of Christ in all things. We ask it in His name. Amen.

Leaves of Absence

Mr. Carroll of Dover and Mrs. Miller of Fitzwilliam were granted leaves of absence for the day on account of important business.

Mr. Hepworth of Derry was granted leave of absence for the day on account of jury duty.

Mr. Hill of Conway was granted leave of absence for the day on account of attending a school meeting.

Introduction of Bills and Joint Resolutions

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By the Rules Committee, House Bill No. 402, An act providing for tuition payments for handicapped children. Referred to the Committee on Education.

By the Rules Committee, House Bill No. 403, An act relative to fees for testing and sealing weighing and measuring devices and inspectors and city sealers. Referred to the Committee on Ways and Means.

By the Rules Committee, House Bill No. 404, An act relative to age requirements for the practice of nursing. Referred to the Committee on Education.

By the Rules Committee, House Bill No. 405, An act relative to a uniform collections division for state institutions. Referred to the Committee on Judiciary.

By the Rules Committee, House Bill No. 406, An act to relieve the shortage of teachers in the public elementary schools. Referred to the Committee on Education.

By the Rules Committee, House Bill No. 407, An act relative to unemployment compensation and dealing with merit rating and the collection of overpayments in fraud cases involving other states. Referred to the Committee on Labor.

By the Rules Committee, House Joint Resolution No. 35, Joint resolution in favor of the estates of George E. Laflamme, Mark J. Gorham and John M. Ewing. Referred to the Committee on Appropriations.

Printing and Reference Dispensed With

Mr. Pillsbury of Manchester moved that the rules be suspended and the printing and reference to a committee of House Joint Resolution No. 35 be dispensed with.

On a *viva voce* vote the motion prevailed.

Mr. Pillsbury of Manchester further moved that the rules be suspended and reference to a committee of House Joint Resolution No. 35 be dispensed with and the joint resolution be put upon its third reading, by title, at the present time.

On a *viva voce* vote the motion prevailed.

The joint resolution was read a third time and passed and sent to the Senate for concurrence.

By the Rules Committee, House Joint Resolution No. 36, Joint resolution providing for a committee to investigate legislative procedure. Referred to the Committee on Judiciary.

Engrossed Bills Report

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 30, An act relative to annual reports of certain county officers, justices of the probate courts, justices and clerks of municipal courts and clerks of superior courts.

House Bill No. 324, An act naming the William E. Chandler highway.

Senate Bill No. 14, An act relative to hours of duty for members of the Manchester fire department.

Senate Bill No. 36, An act relative to furnishing financial responsibility and reports required after motor vehicle accidents.

The report was accepted.

Committee Reports

Mr. Cater of Somersworth, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 262, An act relative to educational moving pictures, reported the same with the following amendment, and the recommendation that the bill, as amended, ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Moving Pictures.* The governor and council are hereby authorized to engage the services, subject to the provisions of chapter 227 of the Laws of 1949, of competent photographers or firm of photographers to prepare a documentary film of physical and operational facilities of state departments and institutions; working in conjunction with the federal gov-

ernment in the preparation of such films for foreign distribution.

2. *Distribution.* Upon completion of the film as provided in section 1, it shall be available for the use of organizations within the state for general educational purposes. Said film and copies thereof shall be in the care, control and custody of the University of New Hampshire Department of Audio-visual study.

3. *Appropriation.* There is hereby appropriated the sum of ten thousand dollars ($10,000) for purposes of this act, provided, however, that the federal government shall appropriate an equal or greater amount. Said sums appropriated shall be expended in accordance with the provisions of section 1 of this act.

4. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill referred to the Committee on Appropriations under the rules.

Mr. McMeekin of Haverhill, for the Committee on Executive Departments and Administration, to whom was referred Senate Bill No. 48, An act to amend the charter of the Manchester Women's Aid and Relief Society, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Perry of Jaffrey, for the Committee on Judiciary, to whom was referred House Bill No. 98, An act prohibiting trespassing in certain cases, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Cooper of Nashua, for the Committee on Judiciary, to whom was referred House Bill No. 283, An act relative to discharging firearms near buildings, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Miss Horner of Thornton, for the Committee on Municipal and County Government, to whom was referred House Bill No. 120, An act authorizing the Lebanon Center Village Fire Precinct to issue bonds in excess of the statutory debt limit for the construction and equipment of a new fire station in said precinct, reported the same with the following amendment, and the recommendation that the bill, as amended, ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following: An act authorizing the Lebanon Center Precinct Fire Department to issue bonds for the construction and equipment of a new fire station in said precinct.

Amend section 1 of said bill by striking out the words "Lebanon Center Village Fire Precinct" and inserting in place thereof the words, Lebanon Center Precinct Fire Department, created by chapter 306 of the Laws of 1941, so that said section as amended shall read as follows:

1. *Authorization.* The Lebanon Center Precinct Fire Department, created by chapter 306 of the Laws of 1941, at any annual meeting is authorized to issue its serial notes or bonds in an amount not to exceed two hundred and ten thousand dollars for the purpose of the construction and equipment of a new fire station in said precinct. Said serial notes or bonds shall be signed by the precinct commissioners and countersigned by the treasurer.

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2. *Debt Limit.* The limit of bonded indebtedness for said precinct shall be the debt authorized by this act and shall supersede the limit of indebtedness prescribed by section 7 of chapter 72 of the Revised Laws.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Morey of Hart's Location, for the Committee on Public Works, to whom was referred House Bill No. 63, An act to reclassify a road in the towns of Hudson, Litchfield and Londonderry, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Malley of Somersworth, for the Committee on Ways and Means, to whom was referred House Bill No. 307, An act increasing registration fees for pharmacists and pharmacies, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 140, An act relative to marking highways for motor vehicle travel.

House Bill No. 324, An act naming the William E. Chandler Highway.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 239, An act relative to allowance for personal services in the settlement of estates.

Amend section one of the bill by inserting after the word "limiting" in the 13th line the words, "or determining" so that said section as amended shall read as follows: 1. *Administration of Estates.* Amend section 37 of chapter 87 of the Revised Laws, as amended by section 17, chapter 144, Laws of 1945, and by section 2, chapter 86-A of the Revised Laws as inserted by section 49, part 8, chapter 5, Laws of 1950 by striking out said section and inserting in place thereof the following: 37. *Executor's Services.* In the computation of said taxes the state tax commission may deduct not exceeding five per cent from the value of the personal property, and of the real estate sold to pay debts, as an allowance on account of the personal services of the executor or administrator, but otherwise shall not be required to consider any payments on account

of debts or expenses of administration which have not been allowed by the probate court having jurisdiction of said estate. Provided, that nothing hereunder shall be construed as limiting or determining the amount which may be allowed by the probate court in its discretion as an allowance for personal services of the executor or administrator.

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Turner of Keene the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 221, An act relating to contracts by married women.

Amend section 1 by striking all after the word "unmarried" in line 8 so that said section as amended shall read as follows: 1. *Married Women.* Amend section 2 of chapter 340 of the Revised Laws as amended by chapter 193 of the Laws of 1949 by striking out the same and inserting in place thereof the following: 2. *Wife's Contracts, Etc.* Every married woman shall have the same rights and remedies, and shall be subject to the same liabilities in relation to property held by her in her own right, as if she were unmarried, and may convey, make contracts, and sue and be sued, in all matters in law and equity, and upon any contract by her made, or for any wrong by her done, as if she were unmarried.

Amend section 2 by striking out the entire section.

Amend section 3 by striking out the same and inserting in place thereof the following section: 2. *Validation.* Joint notes, obligations and all releases of rights of dower or homestead or either of them contained in mortgages, signed and acknowledged by married women since May 12, 1949 shall not be termed invalid by reason of failure to have complied with the provisions of section 2 of chapter 340 of Revised Laws as amended by chapter 193 of the Laws of 1949.

Renumber section 4 as section 3.

On motion of Mrs. Cooper of Nashua, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills to the following House bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 72, An act providing for the operation of pipe lines for the transportation, distribution and sale of natural gas.

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1. *Eminent Domain Proceedings.* Amend the first paragraph of section 15 of chapter 294 of the Revised Laws by striking out the same and inserting in place thereof the following: Whenever any corporation

Amend section 2 of said bill by inserting at the end thereof the following new sentence: Provided, however, that nothing herein shall be deemed to repeal any of the provisions of sections 16 to 24, inclusive, of chapter 294, relative to acquisition of rights in public waters and on public lands.

On motion of Mr. Hurd of Concord, the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

Resolutions

Mr. Janelle of Nashua offered the following resolution:

Whereas, we have learned with sorrow of the death of Donat L. Boulanger, County Commissioner for Hillsborough County for several years, therefore be it

Resolved, That we, the members of the House of Representatives, express our sincere respect and high regard for his career as a public servant and that we acknowledge the many contributions made by him during those many years of public service, and be it further

Resolved, That we extend to his widow and family our deep sympathy in their bereavement, and be it further

Resolved, That the Clerk of the House transmit to Mrs. Boulanger a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

Mr. Durkee of Seabrook offered the following resolution:

Whereas, we have learned of the death of Howard A. Eaton, former representative from Seabrook, therefore be it

Resolved, That we, the members of the House of Representatives, extend our heartfelt sympathy to his family in its bereavement, and be it further

Resolved, That when the House adjourns today it be in memory of our former fellow member, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Mrs. Eaton.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended and business in order at 3:00 o'clock was made in order at the present time, and the third reading of bills by their titles was made in order.

Third Readings

House Bill No. 120, An act authorizing the Lebanon Center Village Fire Precinct to issue bonds in excess of the statutory debt limit for the construction and equipment of a new fire station in said precinct.

Read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 48, An act to amend the charter of the Manchester Women's Aid and Relief Society.

Read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mr. Casey of Manchester at 11:43 o'clock the House adjourned.

WEDNESDAY, APRIL 11, 1951

The House met according to adjournment.

Prayer was offered by Rev. Cornelius Fersch, Pastor of Congregational Church, Lebanon, N. H.

God of our fathers, this morning we pray for our generation of leaders, who are trying to keep our country free in the face of opposing forces, over which we have little or no control.

We are all too aware that we have not even touched the fringe of those who in days past have trusted in Thee and have made us great. We realize that we have not even sought Thy help in times when we needed Thee most desperately.

We ask, O God, Thy blessing upon our deliberations. We know that what we say here, and what we do within these walls so resonant with the achievement of past struggle, will be heard on every roof and in the darkest places of our State. We know, Thou God of all nations, that all human decisions cannot perish as if they had never been.

We believe Thy word when it says that "if the Lord build the house they labor not in vain who build it." So give us care, and insight, and love this day, that our State shall be stronger because we have assembled to govern. Thus give us "granite" men and "granite" women, in this our granite State, and save us from muddled softness. Amen.

Leaves of Absence

Mr. Cushing of Derry was granted leave of absence for the rest of the week on account of important business.

Mrs. Winters of Rochester was granted leave of absence for the rest of the week on account of illness.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By the Rules Committee, House Bill No. 408, An act relative to taking, transportation and sale of lobsters and lobster meat. Referred to the Committee on Fish and Game.

By the Rules Committee, House Bill No. 409, An act relative to settlement of insolvent estates without a commission. Referred to the Committee on Judiciary.

By the Rules Committee, House Bill No. 410, An act relative to extending aeronautical appropriations. Referred to the Committee on Appropriations.

By the Rules Committee, House Bill No. 411, An act relating to inspectors in the department of labor. Referred to the Committee on Labor.

Printing Dispensed With

On motion of Mr. Pillsbury of Manchester, the rules were suspended and the printing of House Bill No. 410 was dispensed with.

Committee Reports

Mr. Atwood of Sanbornton, for the Committee on Education, to whom was referred House Bill No. 286, An act to assist needy school districts in providing adequate educational opportunity and to improve the educational offerings of the public elementary and high schools, reported the same with the following amendment, and the recommendation that the bill, as amended, ought to pass.

Amend said bill by striking out section 1.

Further amend said bill by striking out section 2, renumbering and inserting in place thereof the following:

1. *Statement of Intention.* Amend sections 8, 9, 10 and 11 of chapter 140 of the Revised Laws as amended by section 2 of chapter 198 of the Laws of 1947 by striking out said sections and inserting in place thereof the following: 8. *Declaration of Policy.* It is hereby declared to be the policy of the state to share the costs of public elementary and secondary schools with local school districts in such manner that the application of the awards to the several districts shall be made on the basis of need to the end that educational facilities for all children of New Hampshire shall be on a more equitable foundation.

9. *State Aid.* To aid local school districts in financial support of schools the state board shall provide annually to all needy districts, out of state funds appropriated to carry out the provisions of this title, foundation aid necessary to pay

the remaining costs of the required programs of public elementary and high school education over and above the proceeds of a tax of seventeen dollars per thousand on adjusted valuation (hereafter called the millage) of each district. "Adjusted valuation" as used hereunder shall consist of all the sources of income available to the town or district for current expenses, including the equalized valuation of the real and personal property of the town or district, subject to local taxation, plus the net income, capitalized at the average property tax rate for the state, derived from interest and dividends tax, national bank stock tax, savings bank tax, railroad tax, motor vehicle permits, licenses, rents, interest on taxes, national forest reserve, fines and forfeitures, trust funds and municipally operated utilities or municipal departments; these amounts to be determined for the year 1950 and every second year thereafter; the intent being to make this adjusted valuation reflect the district's financial ability to support its schools. Said adjusted valuation shall be determined for each district by the tax commission, who shall certify the amount of adjusted valuation of each school district in the state to the state department of education. Where two or more districts are in the same town or city, the income adjustment shall be made on the same proportion as the equalized valuation of the real and personal property of said district bears to the total equalized valuation of the real and personal property of said town or city.

9-a. *Formula.* For the purposes of section 9, the formula to determine the required programs shall be the sum of one hundred seventy-five dollars annually for each elementary pupil and two hundred twenty-five dollars annually for each high school pupil in average daily membership in approved public schools. A district which receives from local taxation for school purposes during the fiscal year previous to the computation of its aid a sum less than the yield of a tax of seventeen dollars per thousand of the district's adjusted valuation shall be ineligible to receive any foundation aid. Such aid shall be paid to the district legally responsible for the education of the elementary and high school pupils who attend approved public schools within the district or in other districts on the basis of the average membership and adjusted valuation for the school year preceding its computation. The aid payable for a school year shall be paid to the district

eligible for such aid on or before January fifteenth of that school year.

10. *Adjustment of Millage.* If, for any school year, the amount appropriated for distribution as foundation aid shall be insufficient to distribute foundation aid in accordance with the provisions of sections 9 and 9-a, the state board shall have the authority to increase the millage so as to bring about a distribution which can be made within the available appropriation among such lesser number of school districts as may result from such increase; provided, however, that such an increase shall not increase the amount required to be raised by the school districts to be eligible for foundation aid.

11. *Unexpended Appropriation.* Any amounts not distributed in the first year of any biennium may be distributed in the second year if required to satisfy the provisions of sections 9 and 9-a.

Amend section 3 of said bill by renumbering to read section 2 and by striking out the word "equalized" and inserting in place thereof the word, adjusted, so that said section as amended shall read as follows: 2. *Takes Effect.* This act shall take effect July 1, 1951 and its provisions shall be used in the computation of aid to be paid to school districts in the school year 1951-52, and each year thereafter, except that the requirement that a district receive from local taxation during the previous year a sum equal to the yield of a seventeen mill tax on its adjusted valuation to be eligible for aid, shall be inoperative for the first year after this act takes effect.

The report was accepted.

Mr. Carter of Cornish moved that the bill and amendment be recommitted to the Committee on Education.

The question being on the motion to recommit.

(Discussion ensued)

Mr. Carter of Cornish spoke in favor of the motion.

On a *viva voce* vote the motion prevailed, and the bill was recommitted to the Committee on Education.

Mr. Cater of Somersworth, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 384, An act relative to setting safety standards for buildings, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Nelson of Milford, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 389, An act relative to the purchase of insurance for the forestry and recreation commission building at Franconia Notch, New Hampshire, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Putney of Andover, for the Committee on Fish and Game, to whom was referred House Bill No. 367, An act relative to expiration dates for fish and game licenses, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Putney of Andover, for the Committee on Fish and Game, to whom was referred House Bill No. 205, An act relating to fishing licenses, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Roukey of Manchester moved that the bill be laid upon the table and made a special order for Thursday, April 17 at 11:02 o'clock.

On a *viva voce* vote the motion did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Sawyer of Concord, for the Committee on Judiciary, to whom was referred House Bill No. 226, An act to regulate the practice of land surveying, reported the same with the following resolution:

The report was accepted, and the resolution of the committee adopted.

Mrs. Cooper of Nashua, for the Committee on Judiciary, to whom was referred House Bill No. 213, An act relative to collection of taxes, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Healey of Ward 6, Manchester, for the Committee on Judiciary, to whom was referred House Bill No. 203, An act relative to distraint and sale of personal property and the collection of personal property taxes, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Sawyer of Concord, for the Committee on Judiciary, to whom was referred House Bill No. 225, An act relating to obscene literature, pictures and articles, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Obscene Matter.* Amend chapter 441 of the Revised Laws as amended by section 1 of chapter 256 of the Laws of 1949 by inserting after section 14 the following new section: 14-a. *Evidence of Intent.* Whenever any person has in his possession any obscene or lewd or lascivious thing, object, book, pamphlet, magazine, newspaper, print or picture, such possession shall be deemed to be *prima facie* evidence of the intent to sell, lend, give or show such article, object, or thing to another person. Provided, however, that nothing contained in sections 14 and 14-a shall be deemed to restrict the selling, lending, giving or showing of books, pictures, objects or things of art including medical, scientific, educational and literary publications, periodicals, text books, and other related matter which are printed, possessed, circulated, displayed or advertised for the advancement of art, medicine, science, education and literature.

The report was accepted.

The bill, with the amendment pending, was laid upon the table to be printed under Rule No. 48, until Tuesday, April 17.

Miss Horner of Thornton, for the Committee on Municipal and County Government, to whom was referred House Bill No. 147, An act relative to the closing of county offices on Saturdays, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Brungot of Berlin for the special committee consisting of the members from the City of Berlin, to whom was referred Senate Bill No. 26, An act relative to salaries of the mayor and councilmen of the city of Berlin, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mrs. Brungot of Berlin moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Mrs. Brungot of Berlin spoke in favor of the motion.

Mr. Bouchard of Berlin demanded the yeas and nays but subsequently withdrew his demand.

On a *viva voce* vote the bill was indefinitely postponed.

Mrs. Corliss of Manchester, for the Special Committee consisting of the members from the City of Manchester, to whom was referred Senate Bill No. 25, An act relating to yearly pensions for employees of the highway department and for certain appointed officials of the city of Manchester, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Corliss of Manchester, for the Special Committee consisting of the members from the City of Manchester, to whom was referred House Bill No. 133, An act relating to the surveyor of the city of Manchester, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Corliss of Manchester, for the Special Committee consisting of the members from the City of Manchester, to whom was referred House Bill No. 321, An act relative to the school committee of the city of Manchester, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 83, An act relating to county appropriations.

House Bill No. 118, An act to provide for absentee voting for persons in the armed forces and civilians serving therewith.

House Bill No. 373, An act relating to the method in which town fire bills shall be paid.

The message further announced that the Senate had voted to nonconcur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 87, An act providing for the appointment of acting town officials in certain cases.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills to the following House bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 117, An act to regulate the practice of optometry.

Amend section 4 of said bill by striking out the last line and inserting in place thereof the following: be paid monthly by the secretary of the board to the state treasurer.

Amend section 7 of said bill by striking out the first two lines and inserting in place thereof the following:

7. *Change in Application and Fee.* Amend section 15 of chapter 253 of the Revised Laws, as amended by section 1, chapter 41 of the Laws of 1947 by striking out said section and inserting in

Amend section 9 of said bill by striking out the first two lines and inserting in place thereof the following:

9. *Temporary Removal from State.* Amend section 21 of chapter 253 of the Revised Laws, as amended by section 2, chapter 41, Laws of 1947, by striking out said section and inserting in

On motion of Mrs. Greene of Concord the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 237, An act increasing death benefits under workmen's compensation.

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1. *Increase in Benefits.* Amend section 20 of chapter 216 of the Revised Laws as inserted by chapter 266 of the Laws of 1947, and as amended by section 2 of chapter 152, Laws of 1949, section 1 of chapter 202, Laws of 1949, and by section 1, chapter 55, Laws of 1951, by striking

Further amend section 1 of said bill by adding at the end thereof the following:

V. Any dependent as defined herein, who at the time of the injury of the injured is in part only dependent upon his earnings, shall receive such proportion of the benefits provided for those wholly dependent as the amount of the wage contributed by the deceased to such partial dependents at the time of injury bore to the total support of the dependents.

On motion of Mr. Pillsbury of Manchester, the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 67, An act relative to service exemptions for members of armed forces during Korean emergency.

Senate Bill Read and Referred

Senate Bill No. 67, An act relative to service exemptions for members of armed forces during Korean emergency.

Read a first and second time, and referred to the Committee on Ways and Means.

On motion of Mr. Wadleigh of Milford, the rules were suspended and business in order at 3:00 o'clock was made in order at the present time, and the third reading of bills were read by their titles only.

Third Readings

House Bill No. 133, An act relating to the surveyor of the city of Manchester.

House Bill No. 147, An act relative to the closing of county offices on Saturdays.

House Bill No. 384, An act relative to setting safety standards for buildings.

House Bill No. 389, An act relative to the purchase of insurance for the Forestry and Recreation Commission building at Franconia Notch.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 25, An act relating to yearly pensions for employees of the highway department and for certain appointed officials of the city of Manchester.

Read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Corliss of Manchester at 11:45 o'clock the House adjourned.

THURSDAY, APRIL 12, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God of nations, look down upon us at this time of special need of Divine guidance in our national life. Grant to all in authority wisdom and strength to know and do Thy will. In this hour of excitement and tense emotion, may we as a people, not lose the sense of right judgment, sound thinking, and our sincere love of our democracy. Out of the misunderstanding and bitterness of the present hour, may we somehow see and understand Thy guiding hand in the days to come, and come to more fully realize the truthfulness of the words of the Psalmist who said: "Blessed is the nation whose God is the Lord." Amen.

Leaves of Absence

Mr. Pinkham of Northwood was granted leave of absence for the day on account of important business.

Mrs. Miller of Fitzwilliam was granted leave of absence for the day on account of illness.

Engrossed Bills Report

Mrs. Corliss of Manchester, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 72, An act providing for the operation of pipe lines for the transportation, distribution and sale of natural gas.

House Bill No. 117, An act to regulate the practice of optometry.

House Bill No. 83, An act relating to county appropriations.

House Bill No. 237, An act increasing death benefits under workmen's compensation.

House Bill No. 258, An act relative to compensation for permanent partial disability under workmen's compensation in certain cases.

House Bill No. 239, An act relative to allowances for personal services in the settlement of estates.

House Bill No. 259, An act relative to collection of fines from employers under workmen's compensation law.

House Bill No. 260, An act relative to definition of terms under workmen's compensation law.

House Bill No. 373, An act relating to the method in which town fire bills shall be paid.

The report was accepted.

Committee Reports

Mr. Crosby of Hillsborough, for the Committee on Executive Departments and Administration, to whom was referred Concurrent resolution relating to cost of living wage increase for state employees, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Kearns of Manchester moved that a list of state employees pay raises be printed in the appendix of the Journal.

The question being on the motion.

(Discussion ensued)

Mr. Kearns of Manchester spoke in favor of the motion.

Messrs. Pillsbury of Manchester, McMeekin of Haverhill, Turner of Keene, Griffin of Lincoln and Sanborn of Wakefield, and Mrs Holmes of Amherst spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Bell of Plymouth, for the Committee on Appropriations, to whom was referred House Bill No. 195, An act relative to proceedings in the legislature and legislative council, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Salaries.* Amend sections 18, 19 and 20 of chapter 9 of the Revised Laws by striking out said sections and inserting in place thereof the following: 18. *Senate Clerk.* The compensation of the clerk of the senate shall be ninety-five dollars a week for each six day week of any regular session, together with three hundred and fifty dollars when he files with the

secretary of state a printed copy of his journal and seventy-five dollars for attendance according to law at the opening of each session. Said sums shall be in full for services performed at such regular session.

19. *House Clerk.* The compensation of the clerk of the house shall be one hundred dollars a week for each six day week of any regular session together with four hundred twenty-five dollars when he files with the secretary of state a printed copy of his journal and seventy-five dollars for attendance according to law at the opening of each session. Said sums shall be in full for services performed at such regular session.

20. *Assistant Clerks.* The compensation of the assistant clerk of the senate shall be eighty dollars per week for each week of any regular session, and the compensation of the assistant clerk of the house shall be ninety-five dollars per week for each six day week of any regular session.

Further amend said bill by inserting after section 1 the following new section:

2. *Salaries.* Amend section 23-a of chapter 9 of the Revised Laws as inserted by section 1, chapter 1 of the Laws of 1947, by striking out said section and inserting in place thereof the following: 23-a. *Stenographers.* The compensation of the stenographers of the senate and house of representatives shall be as follows: For the chief stenographer ten dollars a day; for other stenographers and mileage clerk seven dollars for the first session of service and fifty cents a day additional for each succeeding session of service until a maximum of nine dollars a day; each for six days a week.

Further amend said bill by renumbering section 2 to read section 3 and by striking out the figure "1" in said section and inserting in place thereof the figure, 3, so that said section as amended shall read as follows:

3. *Takes Effect.* This act shall take effect as of January 3, 1951.

Amend the title of the bill by striking out said title and inserting in place thereof the following: An act relative to attaches of the legislature.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Sanborn of Wakefield spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bills ordered to a third reading.

Mr. Sanborn of Wakefield moved that the rules be suspended and the bill be put upon its third reading and final passage, by title, at the present time.

The question being on the motion.

(Discussion ensued)

Mr. Sanborn of Wakefield spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

The bill was read a third time and passed and sent to the Senate for concurrence.

Reconsideration

Mr. Pickett of Keene moved that the House reconsider the vote whereby it passed House Bill No. 195.

On a *viva voce* vote the motion to reconsider did not prevail.

Mr. Turner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 211, An act relating to auctions of jewelry and related articles, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following new title, An act Relating to Auctions of Jewelry.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following new section:

1. *Auctions.* Amend section 1, chapter 173, Revised Laws, by striking out said section and inserting in place thereof the following: 1. *License.* No person shall conduct or maintain an establishment where any gold, silver or plated ware, stones, precious or otherwise, watches, jewelry, or any articles or goods represented as such, are sold at auction unless licensed to conduct or maintain the same by the mayor of the city or the selectmen of the town in which such establishment is located. Every application for license shall be sworn to by the applicant, shall contain the name and place of resi-

dence of the applicant, a description of the premises whereon the applicant intends to conduct or maintain such an establishment, the name of the owner of said premises, and a description of the class or classes of articles or goods intended to be sold. The license shall be express and be subject to such conditions as are hereinafter set forth, and such additional reasonable conditions as the licensing authority may prescribe. No licensee hereunder shall conduct or maintain such an establishment in any place other than that set forth in the license. Every license shall expire on the thirtieth day after the date of its issuance and the fee for each such license shall be fifty dollars, which shall accompany the application, the fee being set at such amount to cover the cost of investigation, enforcement and police work under this chapter. No class of goods other than those described in the application for license may be sold by authority of such license.

Amend paragraphs I and II of section 2-a of said chapter 173 as inserted by section 2 of said bill by striking out said paragraphs and inserting in place thereof the following:

I. Such auctions shall be conducted exclusively between the hours of 11:00 a. m. and 5:00 p. m., excepting Sundays and holidays on which days no auctions shall be conducted.

II. On or before 10:00 a. m. on any day on which an auction is to be conducted, the licensee shall post in a conspicuous place at or near the entrance to the premises an itemized list of the merchandise to be sold on that day, and no merchandise shall be sold at auction on that day which is not contained on such list when first posted. The list shall itemize each article to be sold, numbering each such item in numerical order, describing each item by its true name, brand name, name of manufacturer, name of wholesale vendor or jobber, from whom purchased, cost price to the licensee or seller, and the number of carats or jewels in the same, or weight and quality of same, or kind, quality and degree of purity of metal of same, where applicable. Imitations, rebuilt goods, second-hand goods having second-hand parts shall be plainly stated as such on said list. A copy of such list shall also be delivered by the licensee on or before 10:00 a. m. on each day to the office of the tax assessors in the case of a city or to the abode of one of the selectmen in the case of a town, or both copies of said list shall be certified as true under oath by the licensee.

Amend paragraph IV of said section 2-a of said chapter 173 as inserted by section 2 of said bill by striking out said paragraph and inserting in place thereof the following new paragraph:

IV. No more than one auction under a single auctioneer shall be conducted on the licensed premises at any one time. In conducting the auction, the auctioneer shall proceed in numerical order down the list required in paragraph II above, offering each article for sale in the order set forth on such list.

Amend section 3 of said bill by striking out said section and inserting in place thereof the following new section:

3. *Bond.* Further amend said chapter 173, Revised Laws, by inserting after section 3 thereof the following new section:

3-a. *Bond Required.* No license shall be issued hereunder until the applicant shall have executed and filed with the licensing authority a good and sufficient bond in the sum of two thousand dollars with the surety thereon a surety company authorized to do business in the State of New Hampshire, which bond shall be conditioned upon faithful observance of all of the provisions of this chapter and of all the conditions of said license, and shall also indemify any purchaser at any auction held pursuant to said license who suffers any loss caused by misrepresentations in said sale or violations of the provisions of this chapter or the conditions of said license; provided, however, that the aggregate liability of the surety to all such purchasers shall in no event exceed the penal sum of said bond. Said bond shall be stated on its face to continue in effect until the expiration of the statute of limitations on all claims secured by said bond. Any purchaser claiming to have been damaged for the foregoing reasons may maintain an action at law against said licensee and may join as party defendant the surety on said bond.

Amend section 5 of said bill by striking out said section and inserting in place thereof the following new sections:

5. *Exemption.* This chapter shall not apply to sales made by sheriffs, deputy sheriffs, constables, collectors of taxes, executors, administrators, guardians, conservators, mortgagees, assignees for the benefit of creditors, or by any person required by law to sell personal property. This chapter shall not apply to any sales of antiques nor shall it apply to any sales of used goods which are not, at the time of sale or im-

mediately prior thereto, part of the stock in trade of a retailer, wholesaler, or distributor of the class or classes of goods described in section 1.

6. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted.

The bill, with the amendment pending, was laid upon the table to be printed under Rule No. 48, to be taken up Wednesday, April 18.

Mr. Holden of Hanover, for the Committee on Judiciary, to whom was referred House Bill No. 10, An act relative to conduct of elections in towns, reported the same with the following amendment, and the recommendation that the bill, as amended, ought to pass.

Amend section 1 of said bill by striking out said section and inserting in place thereof the following:

1. *Towns.* Amend section 36 of chapter 34 of the Revised Laws as amended by section 1, chapter 186, Laws of 1947, by striking out said section and inserting in place thereof the following: 36. *Time Polls Open and Close; Towns.* At all biennial elections and primaries in towns the population of which is less than seven hundred according to the last federal census, the polls shall be open not less than five consecutive hours, and so much longer as shall be necessary to afford every voter present and desiring to vote an opportunity to do so, and until the voters present shall vote to close the polls, provided that upon written request signed by seven registered voters of the town and delivered on the Saturday previous to the biennial elections or primaries, into the hands of the selectmen for biennial elections and to the town clerk for primaries the aforesaid polls shall be kept open until six o'clock in the evening; and provided further whenever in towns having less than one hundred population the names of those who have voted plus the absentee ballots received at the polls equals the number of all the names on the check list, the meeting may vote to close the polls forthwith. In all other towns the polls shall be open not later than ten o'clock in the forenoon and shall be closed not earlier than six o'clock in the evening. In all towns the selectmen, in the warrants for the biennial elections, and the town clerk, in the notices for primaries, shall prescribe and post the hour the polls are to

open and the hour before which the polls may not close as provided by this section. The meeting may vote to keep the polls open to a later hour but may not vote to close the polls at an earlier hour than that so prescribed by the selectmen or town clerk, except as otherwise herein provided.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Matthews of New Hampton, for the Committee on Judiciary, to whom was referred House Bill No. 265, An act relating to the reciprocal enforcement of support, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Healy of Ward 6, Manchester, for the Committee on Judiciary, to whom was referred Senate Bill No. 40, An act relating to notice by administrators to parties in pending actions, reported the same with the following amendment, and the recommendation that the bill, as amended, ought to pass.

Amend section 1 of said bill by adding after the word "thereof" in line nine, and also at the end of said section, the words, provided further however, that any justice of the superior court shall for good cause shown grant leave from any of the foregoing provisions as justice may require, so that said section as amended shall read as follows:

1. *Administrators.* Amend section 10 of chapter 355 of the Revised Laws by adding at the end thereof the following: Provided, that in the latter case, the administrator shall forthwith notify in writing the adverse party or his attorney of record of such death and grant of administration, and such action shall not be barred until the end of the second term after the giving of such notice. Such notice shall be by registered mail, return receipt requested, and such administrator shall file an affidavit in the probate court, showing compliance with the provisions thereof, provided further however, that any justice of the superior court shall for good cause shown grant leave from any of the foregoing provisions as justice may require, so that said section as amended shall read as follows: 10. *Pending Actions.* If such an action is pending at the time of the decease of one of the parties it shall abate and be forever barred, unless the administrator of the deceased

party, if the deceased was plaintiff, shall appear and assume the prosecution of the action before the end of the second term after the decease of such party, or, if the deceased party was defendant, unless the plaintiff shall procure a *scire facias* to be issued to the administrator of the deceased party before the end of the second term after the original grant of administration upon his estate. Provided, that in the latter case, the administrator shall forthwith notify in writing the adverse party or his attorney of record of such death and grant of administration, and such action shall not be barred until the end of the second term after the giving of such notice. Such notice shall be by registered mail, return receipt requested, and such administrator shall file an affidavit in the probate court, showing compliance with the provisions thereof, provided further however, that any justice of the superior court shall for good cause shown grant leave from any of the foregoing provisions as justice may require.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Healy of Ward 6, Manchester, for the Committee on Judiciary, to whom was referred House Bill No. 242, An act relative to suits by and against administrators, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by other legislation. (S. B. 40)

The report was accepted, and the resolution of the committee adopted.

On motion of Mr. Carter of Cornish the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Howard of Piermont, for the Committee on Education, to whom was referred House Bill No. 286, An act to assist needy school districts in providing adequate educational opportunity and to improve the educational offerings of the public elementary and high schools, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend said bill by striking out section 1.

Further amend said bill by striking out section 2, renumbering and inserting in place thereof the following:

1. *Statement of Intention.* Amend sections 8, 9, 10 and

11 of chapter 140 of the Revised Laws as amended by section 2 of chapter 198 of the Laws of 1947 by striking out said sections and inserting in place thereof the following: 8. *Declaration of Policy.* It is hereby declared to be the policy of the state to share the costs of public elementary and secondary schools with local school districts in such manner that the application of the awards to the several districts shall be made on the basis of need to the end that educational facilities for all children of New Hampshire shall be on a more equitable foundation.

9. *State Aid.* To aid local school districts in financial support of schools the state board shall provide annually to all needy districts, out of state funds appropriated to carry out the provisions of this title, foundation aid necessary to pay the remaining costs of the required programs of public elementary and high school education over and above the proceeds of a tax of seventeen dollars per thousand on adjusted valuation (called the millage) of each district. "Adjusted valuation" as used hereunder shall consist of all the sources of income available to the town or district for current expenses, including the equalized valuation of the real and personal property of the town or district, subject to local taxation, plus the net income, capitalized at the average property tax rate for the state, derived from interest and dividends tax, national bank stock tax, savings bank tax, railroad tax, motor vehicle permits, licenses, rents, interest on taxes, national forest reserve, fines and forfeitures, trust funds and municipally operated utilities or municipal departments; these amounts to be determined for the year 1950 and every second year thereafter; the intent being to make this adjusted valuation reflect the districts' financial ability to support its schools. Said adjusted valuation shall be determined for each district by the tax commission, who shall certify the amount of adjusted valuation of each school district in the state to the state department of education. Where two or more districts are in the same town or city, the income adjustment shall be made on the same proportion as the equalized valuation of the real and personal property of said district bears to the total equalized valuation of the real and personal property of said town or city.

9-a. *Formula.* For the purposes of section 9, the formula to determine the required programs shall be the sum of one hundred seventy-five dollars annually for each elementary pupil

and two hundred twenty-five dollars annually for each high school pupil in average daily membership in approved public schools. A district which receives from local taxation for school purposes during the fiscal year previous to computation of its aid a sum less than the yield of a tax of seventeen dollars per thousand of the district's adjusted valuation shall be ineligible to receive any foundation aid. Such aid shall be paid to the district legally responsible for the education of the elementary and high school pupils who attend approved public schools within the district or in other districts on the basis of the average membership and adjusted valuation for the school year preceding its computation. The aid payable for a school year shall be paid to the district eligible for such aid on or before January fifteenth of that school year.

10. *Prorated Funds.* If, for any school year, the amount appropriated for distribution as foundation aid shall be insufficient to distribute foundation aid in accordance with the provisions of section 9, the appropriation available shall be prorated among the school districts covered under the formula.

11. *Unexpended Appropriation.* Any amounts not distributed in the first year of any biennium may be distributed in the second year if required to satisfy the provisions of sections 9 and 9-a.

Amend section 3 of said bill by renumbering to read section 2 and by striking out the word "equalized" and inserting in place thereof the word, adjusted, so that said section as amended shall read as follows: 2. *Takes Effect.* This act shall take effect July 1, 1951 and its provisions shall be used in the computation of aid to be paid to school districts in the school year 1951-52, and each year thereafter, except that the requirement that a district receive from local taxation during the previous year a sum equal to the yield of a seventeen mill tax on its adjusted valuation to be eligible for aid, shall be inoperative for the first year after this act takes effect.

The report was accepted.

The bill, with the amendment pending, was laid upon the table to be printed under Rule No. 48, to be taken up Wednesday, April 18.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House

of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 198, An act relating to photographic copies of business and public records as evidence.

House Bill No. 258, An act relative to compensation for permanent partial disability under workmen's compensation in certain cases.

House Bill No. 259, An act relative to collection of fines from employers under workmen's compensation law.

House Bill No. 260, An act relative to definition of terms under workmen's compensation law.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 156, An act relating to minimum wage.

Amend the bill by striking out the title and substituting in place thereof the following: An act relative to records and adjustments under the minimum wage law.

On motion of Mr. Pillsbury of Manchester the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 261, An act relating to notices of proceedings under workmen's compensation law.

Amend the bill by striking out the title, and substituting in place thereof the following: An act relating to defective notices to employer under workmen's compensation law.

On motion of Mr. Pillsbury of Manchester the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

Resolutions

Messrs. Turner and Pickett of Keene offered the following resolution:

Whereas, we have learned of the death of Bert Walsh,

father of Richard F. Walsh, Representative from the City of Keene, therefore be it

Resolved, That we, the members of the House of Representatives, hereby extend to our fellow member our heartfelt sympathy in his bereavement, and be it further

Resolved, That the Clerk of the House transmit to Representative Walsh a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

Mr. Bennett of Keene offered the following resolution:

Whereas, we have learned of the death of Benjamin G. Hall, former State Senator and former Representative from Marlboro for several terms, therefore be it

Resolved, That we, the members of the House of Representatives, hereby express our deep sympathy to his family in its bereavement, and be it further

Resolved, That the Clerk of the House procure a floral tribute and that he transmit a copy of these resolutions to the widow, Mrs. Hall, and be it further

Resolved, That when the House adjourns today it be in memory of our former fellow member.

The resolution was unanimously adopted by a rising vote.

On motion of Mr. Wadleigh of Milford, the rules were suspended and business in order at 3:00 o'clock was made in order at the present time, and the third reading of bills were read by their titles only, and when the House adjourns today it adjourns to meet Tuesday at 11:00 o'clock.

Third Readings

House Bill No. 10, An act relative to conduct of elections in towns.

House Bill No. 265, An act relating to the reciprocal enforcement of support.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 40, An act relating to notice by administrators to parties impending actions.

Read a third time and passed, and sent to the Senate for concurrence in the amendment.

On motion of Mr. Smith of Meredith at 12:20 o'clock the House adjourned.

TUESDAY, APRIL 17, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God, with the Psalmist of old may we say: "This is the day which the Lord hath made: we will rejoice and be glad in it." Thou hast brought us to the beginning of this new day, direct us in the same with Thy mighty power. Help us to improve the opportunity to do Thy will in our every task. May we meet the joys of this day with gratitude, its difficulties and disappointments with fortitude and its duties with unswerving fidelity. In all our deliberations, help us to keep our motives high, that when the task of the day is done the Master may be able to say: "Well done." Amen.

Leaves of Absence

Mrs. Saltmarsh of Concord was granted leave of absence for the day on account of important business.

Mr. Cushing of Derry was granted leave of absence for the day on account of jury duty.

Mr. Wedick of Manchester was granted leave of absence for the day on account of illness.

Messrs. Nelson of Milford and Lang of Troy, and Mrs. Record of Nashua, were granted leaves of absence for the week on account of illness.

Engrossed Bills Report

Mrs. Landers of Keene, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 156, An act relative to records and adjustments under the minimum wage law.

House Bill No. 198, An act relating to photographic copies of business and public records as evidence.

House Bill No. 261, An act relating to defective notices to employer under workmen's compensation law.

House Bill No. 221, An act relating to contracts by married women.

House Bill No. 298, An act legalizing the election of November, 1950, in the town of Alstead.

House Bill No. 352, An act legalizing the adoption of zoning ordinances in the town of Hampton.

The report was accepted.

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 25, An act relating to yearly pensions for employees of the highway department and for certain appointed officials of the city of Manchester, reported the same, under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the title of said bill by striking out the same and inserting in place thereof the following: An act relating to yearly pension for the commissioner of charities of the city of Manchester.

Amend section 1 of said bill by striking out the first two lines and inserting in place thereof the following:

1. *City of Manchester.* Amend section 3 of chapter 291 of the Laws of 1909 as

On motion of Mr. Sullivan of Manchester the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence.

Committee Reports

Mrs. Cooper of Nashua, for the Committee on Judiciary, to whom was referred House Bill No. 145, An act relating to powers and duties of towns, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Perkins of Concord, for the Committee on Judiciary, to whom was referred House Bill No. 301, An act relative to hunting on posted land, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Jones of Lebanon, for the Committee on Judiciary, to whom was referred House Bill No. 331, An act relative to

operation of motor vehicles in a careless or negligent manner, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Rathbone of Exeter, for the Committee on Ways and Means, to whom was referred House Bill No. 104, An act relating to the payment to the State of the "breakage," so-called, at pari mutuel race meets, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Moulton of Ossipee, for the Committee on Ways and Means, to whom was referred House Bill No. 106, An act relating to the tax on pari mutuel pools at race meets, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Waterhouse of Windham, for the Committee on Ways and Means, to whom was referred House Bill No. 305, An act increasing the commission on pari mutuel pools, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Taken from Table

Mr. Sawyer of Concord, for the Committee on Judiciary, to whom was referred House Bill No. 225, An act relating to obscene literature, pictures and articles, reported the same with the amendment as printed in the Journal of April 11, 1951 and the recommendation that the bill as amended ought to pass.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Special Order

Mr. Fernald of Rochester called for the special order.

It being the report of the Committee on Judiciary, to whom was referred House Bill No. 284, An act relating to trespassing on posted land reported the same with the amendment as printed in the Journal of April 4, 1951 and the recommendation that the bill, as amended, ought to pass.

The question being on the amendment.

(Discussion ensued)

Mr. Fernald of Rochester spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Washburn of Bartlett offered the following amendment:

Amend section 14-c as inserted by section 2 proposed by amendment to the bill, by striking out said section and inserting in place thereof the following:

14-c. *Definition.* Cultivated land within the meaning of this chapter is defined as land from which an annual crop is taken, orchards, land upon which domestic animals annually graze, including open pasture and land which is either burned or cut over once in every two years.

The question being on the amendment.

(Discussion ensued)

Messrs. Washburn of Bartlett and Perkins of Concord spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Fernald of Rochester offered the following amendment:

Amend section 2 of the bill as proposed by the amendment of the committee by inserting after the paragraph numbered 14-a the following new paragraph:

14-e. *Further Limitation.* When a person has posted his land in conformity with the provisions of sections 14-b and 14-c, no person other than the one who posted the same or members of his immediate family permanently residing with him shall hunt or fish on said posted land. Whoever violates any of the provisions of this section shall be fined not more

than fifty dollars or imprisoned not more than sixty days or both.

The question being on the amendment offered by Mr. Fernald of Rochester.

(Discussion ensued)

Messrs. Fernald of Rochester and Pickett of Keene spoke in favor of the amendment.

Messrs. Perkins of Concord, Brown of Laconia, Scamman of Stratham and Skinner of Orford spoke against the amendment.

Mr. Lea of Pembroke moved the previous question.

The question being: Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment offered by Mr. Fernald of Rochester.

On a *viva voce* vote the amendment was not adopted.

The bill was ordered to a third reading.

Vacated Order

On motion of Mr. Bass of Peterborough the order whereby Senate Bill No. 67, An act relative to service exemptions for members of armed forces during Korean emergency, was referred to the Committee on Ways and Means, was vacated and the bill referred to the Committee on Military and Veterans' Affairs.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to nonconcur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 17, An act to discharge the judgment of the State of New Hampshire against F. Gordon Kimball.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 137, An act relative to Class I, Class II, Class IV, and Class V highways.

House Bill No. 158, An act relating to bait dealers' licenses.

House Bill No. 298, An act legalizing the election of November, 1950, in the town of Alstead.

House Bill No. 352, An act legalizing the adoption of zoning ordinances in the town of Hampton.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bills, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 140, An act relative to marking highways for motor vehicle travel.

Amend section 1 of said bill by striking out the last nine lines and inserting in place thereof the following: said commissioner, except as herein otherwise provided, and when the barrier line highway marking system is employed, no operator of a motor vehicle shall, while proceeding along a highway, drive any part of such vehicle to the left of nor across an unbroken painted line marked on the highway in such operator's lane by order of or with the approval of said commissioner except (1) in an emergency, or (2) to permit ingress or egress to side roads or property adjacent to the highway, or (3) in case such operator has an unobstructed view and can see the end of the said unbroken painted line.

On motion of Mr. Scamman of Stratham the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 164, An act relating to revocation of fish and game licenses.

Amend said bill by striking out section 1 and inserting in place thereof the following: 1. *Fish and Game Licenses.* Amend section 10 of Chapter 247 of the Revised Laws by striking out said section and inserting in place thereof the following:

10. *Suspension; Revocation.* The director may order the suspension of the license of any person in his discretion, and without hearing, and may order the license delivered to him or his representative whenever he has reason to believe

that the holder thereof is physically or mentally an improper or incompetent person to carry firearms, or is handling firearms improperly, or so as to endanger human life or property, or for any other cause that he may deem sufficient; but such suspension shall not be for a longer period than thirty days unless the director and the commission, after investigation and hearing, so determine. The director may order any license to be revoked after due hearing for any cause that he may deem sufficient.

On motion of Mr. Ashley of Lebanon the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 65, An act relative to legalizing the annual meeting of 1951 of the School District of Gorham.

Senate Bill Read and Referred

Senate Bill No. 65, An act relative to legalizing the annual meeting of 1951 of the School District of Gorham.

Read a first and second time, and referred to the Committee on Education.

Resolution

Mrs. Goodwin of Hollis offered the following resolution:

Whereas the town of Hart's Location is entitled to representation in the General Court only once in a decade; and

Whereas the member from Hart's Location, Mrs. Florence F. Morey, has served in the General Court as her town's only representative in the last generation; and

Whereas the member of Hart's Location celebrates today her birthday,

Now therefore be it resolved, That the House extends its congratulations to the member from Hart's Location on her birthday and wishes her many continued years of service to her town and to the State of New Hampshire.

On a *viva voce* vote the resolution was adopted.

Qualified

The following named Representative, having qualified before His Excellency, appeared and took his seat as a member of the House, Walter Clark Flanders of Manchester.

On motion of Mrs. Morey of Hart's Location, the rules were suspended and business in order at 3:00 o'clock was made in order at the present time, and the third reading of bills were read by their titles only.

Third Readings

House Bill No. 145, An act relating to powers and duties of towns.

House Bill No. 225, An act relating to obscene literature, pictures and articles.

House Bill No. 284, An act relating to trespassing on posted land.

House Bill No. 331, An act relative to operation of motor vehicles in a careless or negligent manner.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of Mrs. Morey of Hart's Location at 12:15 o'clock the House adjourned.

WEDNESDAY, APRIL 18, 1951

The House met according to adjournment.

Prayer was offered by Rev. Herbert A. Cooper, Pastor of the Methodist Church of Chesterfield, N. H.

Almighty and Everliving God, our Heavenly Father, the Maker and Ruler of all men, we commend to Thy keeping the people of our beloved Granite State.

Especially do we ask Thy blessing upon our Governor, that in his life, his ideals and his wisdom, he may be led to do that which is pleasing in Thy sight.

Upon the Speaker of this House and the presiding officer of the Senate, let Thy Benediction and Grace fall.

Bless the members of this Legislature, as we bow before Thee, in this our moment of worship.

We would feel Thy presence near us as we begin this new day. May we be guided by Thy spirit in all we do or say.

And Thou, God, who knows the sorrows and the joys of every heart, wilt Thou especially bless those who need the inner strength, made possible by close fellowship with Thee.

We all need Thy help in facing the problems that come day after day. Help us to face up to the tasks which are ours as men, dauntless and unafraid.

And may the benediction and the spirit of Him who went about doing good follow us all this day and forever more.

This we ask in His Name who hath taught us to say when we pray:

Our Father which art in heaven, Hallowed be Thy name, Thy kingdom come, Thy will be done, on earth as it is in heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive those who trespass against us, and lead us not unto temptation, but deliver us from evil. For thine is the kingdom, and the power, and the glory forever. Amen.

Leaves of Absence

Mr. Underhill of Nashua was granted leave of absence for the day on account of attending a funeral.

Messrs. Lamson of New London and Green of Rollinsford were granted leaves of absence for the remainder of the week on account of important business.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Rules Committee, House Bill No. 412, An act naming the Rogers Rangers Memorial Bridge. Referred to the Committee on Public Works.

By the Rules Committee, House Bill No. 413, An act conferring jurisdiction upon the Superior Court of actions founded on express or implied contract. Referred to the Committee on Judiciary.

By the Rules Committee, House Bill No. 414, An act relative to allegations in divorce proceedings. Referred to the Committee on Judiciary.

By the Rules Committee, House Bill No. 415, An act to abolish costs in criminal cases. Referred to the Committee on Judiciary.

By the Rules Committee, House Bill No. 416, An act relative to retirement benefits for court stenographers. Referred to the Committee on Appropriations.

By the Rules Committee, House Joint Resolution No, 37, Joint resolution for an investigation by judicial council into the payment of costs arising in certain criminal prosecutions. Referred to the Committee on Judiciary.

By the Rules Committee, House Joint Resolution No. 38, Joint resolution relative to settlement of the Groveton Papers Company's note and mortgage to Coos County. Referred to the Committee on Appropriations.

Printing Dispensed With

On motion of Mr. Evans of Lancaster the rules were suspended and the printing of House Bill No. 412 was dispensed with.

Engrossed Bills Report

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 48, An act to amend the charter of the Manchester Women's Aid and Relief Society, reported the same under Joint Rule No. 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first five lines and inserting in place thereof the following:

1. *Name Changed.* The name of the Manchester Women's Aid and Relief Society incorporated under the provisions of chapter 283 of the Laws of 1891 is hereby changed to Women's Aid Home.

2. *Property Authorized to Hold.* Amend section 2 of chapter 283 of the Laws of 1891 by striking out said section and inserting in place thereof the following: Sect. 2. Said corporation

Amend section 2 of said bill by renumbering to read section 3.

On motion of Mr. McMeekin of Haverhill the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence.

Committee Reports

Mr. Putney of Andover, for the Committee on Fish and Game, to whom was referred House Bill No. 232, An act relative to taking fish from lakes, ponds and rivers partly in another state, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Special Regulation.* Amend chapter 245 of the Revised Laws by inserting after section 32-a as inserted by chapter 69 of the Laws of 1949 the following new sections:

32-b. *Fishing in Connecticut River.* If the laws of the state of Vermont permit fishing in that part of the Connecticut river lying within that state by persons licensed or otherwise entitled under the laws of this state, to fish in that part of said river lying within this state, persons licensed or otherwise entitled under the laws of Vermont to fish in said part of the Connecticut river lying within the state of Vermont shall be permitted to fish in that part of the Connecticut river lying within this state. If the above reciprocal laws are in effect as to that part of the Connecticut river lying within the states of New Hampshire and Vermont the director is authorized to make special rules and regulations as to fishing therein, after consultation with the like officer of the state of Vermont, in the same manner and with the same effect as he is authorized to do with respect to boundary lakes under the provisions of section 32-a.

32-c. *Penalties.* Any person who violates any of the provisions of sections 32-a or 32-b or special rules and regulations made thereunder shall be fined not more than ten dollars and not more than five dollars for each fish taken or possessed in violation thereof.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Washburn of Bartlett spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mrs. Brungot of Berlin for the Committee on Judiciary, to whom was referred House Bill No. 392, An act relative to use of the flag of the United Nations, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by inserting after the word "buildings" in the fifth line the words, or property, and by adding at the end thereof the words, both as to size and position, so that said section as amended shall read as follows:

1. *Display of Flags.* Amend chapter 443 of the Revised Laws by inserting after section 7 the following new section: 7-a. *United Nations Flag.* It shall not be lawful to display the flag of the United Nations upon or within any state, county or municipal building, or upon or within the buildings or property of any school, college, university or other institution of learning except in the presence of the flag of the United States and then only as subordinated thereto, both as to size and position.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Taken from the Table

Mr. Howard of Piermont, for the Committee on Education, to whom was referred House Bill No. 286, An act to assist needy school districts in providing adequate educational opportunity and to improve the educational offerings of the public elementary and high schools, reported the same with the amendment as printed in the Journal of April 12, 1951, and the recommendation that the bill as amended ought to pass.

The report was accepted.

The question being on the amendments.

(Discussion ensued)

Messrs. Carter of Cornish and Pickett of Keene spoke in favor of the amendments.

On a *viva voce* vote the amendments were adopted and the bill ordered to a third reading.

Mr. Pickett of Keene moved that the rules be suspended and that House Bill No. 286. be put upon its third reading and final passage by title, at the present time.

On a *viva voce* vote the motion prevailed.

The bill was read a third time and passed and sent to the Senate for concurrence.

Reconsideration

Mr. Spaulding of Hudson moved that the House reconsider the vote whereby it passed House Bill No. 286.

On a *viva voce* vote the motion to reconsider did not prevail.

Mr. Turner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 211, An act relating to auctions of jewelry and related articles, reported the same with the amendment as printed in the Journal of April 12, 1951 and the recommendation that the bill as amended ought to pass.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Committee of Conference Report

Mr. Geisel of Manchester offered the following report:

The Committee of Conference, to whom was referred House Bill No. 97, An act relating to trustees and directors of savings banks, having considered the same, recommended that the Senate recede from its position in adopting its amendment, that the House recede from its position of nonconcurrence and that the following amendment be adopted:

Amend section 1 of the bill by striking out said section and inserting in place thereof the following: 1. *Bank Directors and Trustees.* Amend section 9 of chapter 308 of the Revised Laws by inserting after the word "Exceptions" in the first line the words, so long as a quorum is available for the transaction of business; and by adding at the end thereof the words, or to the trustees of savings banks or to the directors of trust companies during periods of their active membership in the armed forces of the United States of America or during periods of their attendance at sessions of the General Court as members thereof, so that said section as amended shall read as follows:

1. *Exceptions.* So long as a quorum is available for the transaction of business, the provisions of section 8 shall not apply to directors of trust companies who reside more than five hundred miles from the place of meeting or to the trustees of savings banks or to the directors of trust companies during periods of their active membership in the armed forces of the United States of America or during periods of their attendance at sessions of the General Court as members thereof.

GEORGE W. TARLSON,
CHARLES FREDERICK HARTNETT,
Conferees on the Part of the Senate.

JOSEPH H. GEISEL,
ELMER S. TILTON,
EMILE E. MARQUIS,
Conferees on the Part of the House.

On a *viva voce* vote the report was adopted.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House bill, in the adoption of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 158, An act relating to bait dealers' licenses.

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1. *Bait Dealers.* Amend section 22-a of chapter 247 of the Revised Laws, as inserted by chapter 129 of the Laws of 1943 by adding after the word "do" the words, and the fee for such license shall be five dollars, so that said section as amended shall read as follows:

On motion of Mr. Washburn of Bartlett the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate concurred with the House of Representatives in the passage of

the following entitled bill, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 47, An act relative to registration and operation of motor vehicles by persons entering the military service of the United States for national defense and powers of the commissioner of motor vehicles.

Amend said bill by striking out section 4 and inserting the following: 4. *Takes Effect.* This act shall take effect only during a period of armed hostilities as declared by the Congress and President of the United States.

On motion of Mr. Leach of Rochester the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 359, An act relative to protected and unprotected birds.

Amend House Bill No. 359 by adding in section one in line six after the words, "great horned owl," the words, barred owl and snowy owl, so that said section as amended shall read as follows:

1. *Definitions under Fish and Game Laws.* Amend the definition of unprotected birds, in section 1, chapter 241 of the Revised Laws, by striking out the same and inserting in place thereof the following: *Unprotected Birds:* English sparrows, European starlings, crows, coopers hawk, sharp-shinned hawk, great horned owl, barred owl, snowy owl except such birds as are protected by the laws of federal government.

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Washburn of Bartlett the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 172, An act relating to possession of jacks, etc.

House Bill No. 183, An act relating to shotgun towns.

House Bill No. 195, An act relating to attaches of the Legislature.

House Bill No. 378, An act relative to the election of members of the school committee in the city of Manchester.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 56, An act relative to motor vehicles owned by totally blind service connected veterans.

Senate Bill No. 66, An act relative to possession of wild deer.

Senate Bills Read and Referred

Senate Bill No. 56, An act relative to motor vehicles owned by totally blind service connected veterans.

Read a first and second time, and referred to the Committee on Transportation.

Senate Bill No. 66, An act relative to possession of wild deer.

Read a first and second time, and referred to the Committee on Fisheries and Game.

On motion of Mr. Wadleigh of Milford the rules were suspended, business in order at 3 o'clock was made in order at the present time, and the third reading of bills by their titles, was made in order.

Third Readings

House Bill No. 211, An act relating to auctions of jewelry and related articles.

House Bill No. 232, An act relative to taking fish from lakes, ponds and rivers partly in another state.

House Bill No. 392, An act relative to use of the flag of the United Nations.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of Mr. Cole of Lebanon at 12:00 o'clock the House adjourned.

THURSDAY, APRIL 19, 1951

The House met according to adjournment.

Joint Convention

Prayer was offered by the Chaplain.

O God, the inspirer and teacher of men, send out Thy light and illumine us; give us a deep and clear knowledge of Thy will toward us, of the obligations that devolve upon us in the daily tasks of life, and of ourselves; that we may the better know our strength to meet those tasks and thus fulfill Thy will. Confirm in us the sacredness of true reason; strengthen in us the aspiration toward noble and spacious thinking, and lift us above the clouds and mists, narrowness and pride that we may think Thine own thoughts after Thee. We ask it in the name of Christ. Amen.

The A Capella Choir of Plymouth Teachers College, under the direction of Hans Jorgensen, Director, entertained the Joint Convention.

On motion of Senator Weeks of District No. 24 the convention rose.

House

Leaves of Absence

Messrs. Towle of Epsom, Martel of Manchester, French of Bedford and Brown of Laconia were granted leaves of absence for the day on account of important business.

Mr. Ayotte of Franklin was granted leave of absence for the day on account of illness.

Introduction of Bill

The following bill was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Committee on Rules, House Bill No. 417, An act creating the New Hampshire Business Development Corporation. Referred to the Committee on Judiciary.

Committee Reports

Mrs. Shields of Berlin, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 140, An act relative to marking highways for motor vehicle travel.

House Bill No. 158, An act relating to bait dealers' licenses.

House Bill No. 164, An act relating to revocation of fish and game licenses.

The report was accepted.

Mr. Cater of Somersworth, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 366, An act establishing a department of budget and accounts and relative to division of duties with department of administration and control, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Griffin of Lincoln moved that the bill be recommitted to the committee.

The question being on the motion to recommit.

(Discussion ensued)

Messrs. Griffin of Lincoln, McMeekin of Haverhill and Hepworth of Derry spoke in favor of the motion.

On a *viva voce* vote the bill was recommitted.

Mr. Converse of Claremont, for the special committee consisting of the members from the city of Claremont, to whom was referred House Bill No. 192, An act relative to the charter of the city of Claremont, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 16 of chapter 392, Laws of 1947 as amended by section 2 of the bill by inserting after the word "council," in the eighth line the words, The office of any ward council member shall be deemed vacant if he takes up residence in any ward other than the one from which he was elected, so that said section as amended shall read as follows:

16. *The Council.* The entire administration of all fiscal, prudential and municipal affairs of the city of Claremont shall, except as otherwise provided, be vested in a city council of nine councilmen, three to be elected at large and two to be elected from each ward. Each councilman shall hold office for a term of two years. Vacancies occurring in the office of councilman at any time after the election of a candidate or candidates thereto, and from a failure to elect thereto, shall be filled by the

election of some qualified person who receives the votes of a majority of the remaining members of the council. The office of any ward council member shall be deemed vacant if he takes up residence in any ward other than the one from which he was elected. Such appointment shall be made at or before the second regular meeting after which such vacancy occurs. The city clerk shall act as clerk of the council.

Amend section 31 of said chapter 392 as amended by section 4 of the bill by striking out in the eighth and ninth lines the words "The council may hold a public hearing on the question of any such appointment, and" so that said section as amended shall read as follows:

31. *Power to Appoint and Remove.* The manager shall have the power to appoint and remove, subject to the provisions of this charter, all officers and employees in the administrative service of the city; but the manager may authorize the head of a department or office responsible to him to appoint and remove subordinates in such department or office. It shall be the duty of the manager to furnish the council in writing with the identity of any person whom he proposes to appoint as the head of any department or office at least ten days prior to the date on which the appointment is to be made. If the council has any objections to the person proposed by the manager for appointment, it shall certify its objections to the manager in writing within said ten day period. All appointments shall be without definite term unless for provisional, temporary or emergency service not to exceed the maximum periods which may be prescribed by the rules and regulations of the merit plan.

Further amend the bill by inserting after section 4 a new section as follows:

5. *Budget Procedure.* Amend section 40 of said chapter 392 by striking out in the sixth and seventh lines the words "at least one month before the start of the fiscal year of the budget" and inserting in place thereof the words, not later than the last day of December annually, so that said section as amended shall read as follows:

40. *Budget Procedure.* At such time as may be requested by the manager or specified by the administrative code, each officer or director of a department shall submit an itemized estimate of expenditures for the next fiscal year for the de-

partments or activities under his control. The manager shall submit the proposed budget to the council not later than the last day of December annually.

Further amend the bill by renumbering sections 5 and 6 to read sections 6 and 7.

The report was accepted.

Mr. Baron of Claremont moved that the rules be suspended and the reading of the amendment be dispensed with.

The question being on the motion.

(Discussion ensued)

Mr. Baron of Claremont spoke in favor of the motion.

On a *viva voce* vote the reading of the amendment was dispensed with.

The question being on the adoption of the amendment.

On a *viva voce vote* the amendment was adopted and the bill ordered to a third reading.

Mr. Janelle of Nashua, for the Special Committee consisting of the members from the county of Hillsborough, to whom was referred Senate Bill No. 41, An act relative to clerk hire in the office of the Hillsborough county sheriff, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Gagnon of Manchester moved that Senate Bill No. 41 be recommitted to the Manchester delegation.

The question being on the motion to recommit.

(Discussion ensued)

Mr. Gagnon of Manchester spoke in favor of the motion.

Messrs. Janelle of Nashua and Pillsbury of Manchester and Mrs. Cooper of Nashua spoke against the motion.

Mr. Bass of Peterborough moved that the bill be laid upon the table and be made a special order for Tuesday, April 24, at 11:01 o'clock.

The question being on the motion of Mr. Bass.

(Discussion ensued)

Mr. Barry of Wilton spoke in favor of the motion.

On a *viva voce* vote the bill was laid upon the table and made a special order for Tuesday, April 24, at 11:01 o'clock.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution sent up from the House of Representatives.

House Bill No. 136, An act relative to support of permanently and totally disabled persons.

House Bill No. 200, An act relative to legal length of motor buses.

House Bill No. 291, An act to authorize New England Power Company to acquire and exercise in New Hampshire all the New Hampshire rights, properties and franchise of Connecticut River Power Company.

House Bill No. 299, An act to legalize the biennial election held in the town of Wilton, November 7, 1950.

House Joint Resolution No. 28, An act relative to purchase of automobiles by state employees and officials.

The message further announced that the Senate had voted to adopt the report of the Committee of Conference on the following bill:

House Bill No. 97, An act relating to trustees and directors of savings banks.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 173, An act relative to licenses of bonded warehouses.

Amend section one of the bill by adding after the word "persons" in the ninth line the word, firms.

Further amend said section by striking out after the word "corporations" the words, other than himself, in line 10, so that said section as amended shall read as follows:

1. *Licenses.* Amend section 1 of chapter 205 of the Revised Laws as amended by section 15 of chapter 265 of the Laws of 1949 by inserting after the word "person" the word, firm, and by striking out the words "established under the laws of the state and," so that said section as amended shall read as follows: 1. *Licenses.* Any person, firm or corpora-

tion having a place of business within the state, who keeps and maintains for hire a warehouse for the storage of goods, wares, and merchandise of persons, firms or corporations shall be a public warehouseman. A public warehouseman shall obtain an annual license from the secretary of state. The fee for such license shall be fifty dollars. Whoever violates any provision of this section shall be fined not more than two hundred dollars or imprisoned not more than six months, or both.

On motion of Mr. Pillsbury of Manchester the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 174, An act prohibiting games of beano on Sunday and playing of game by minors.

Amend section 1 of the bill by adding after the word "organization" in the fourteenth line the words, and to any agricultural fair, so that said section as amended shall read as follows:

1. *Games of Beano.* Amend section 2 of chapter 171-A of the Revised Laws as inserted by Chapter 292 of the Laws of 1949 by adding at the end thereof the following paragraphs: V. No person under the age of eighteen years shall be admitted to any room or hall where said games are being conducted. VI. No games of beano shall be played on Sunday. VII. All prizes, tokens or awards used, given, offered or awarded during, after or in connection with the conduct of any games or series of games conducted in any calendar day shall not exceed the total amount of value of eight hundred dollars. VIII. No games shall be conducted prior to 1:30 o'clock in the afternoon, or subsequent to 11:00 o'clock in the nighttime of the same day, so that said section as amended shall read as follows: 2. *License.* The selectmen of any town or the chief of police of any city wherein the provisions of this chapter have been adopted may issue to any charitable organization and to any agricultural fair within such town or city a license to conduct games of beano on not more than five days in any one calendar month under the following conditions:

I. The license shall authorize games on specified dates at specified times and at a specified location;

II. Such license shall not be transferable;

III. All persons conducting said games shall be members of the charitable organization;

IV. The price to be paid for a single card or play under the license shall not exceed ten cents;

V. No person under the age of eighteen years shall be admitted to any room or hall where said games are being conducted.

VI. No games of beano shall be played on Sunday;

VII. All prizes, tokens or awards used, given, offered or awarded during, after or in connection with the conduct of any game or series of games conducted in any calendar day shall not exceed the total amount of value of eight hundred dollars;

VIII. No games shall be conducted prior to 1:30 o'clock in the afternoon, or subsequent to 11:00 o'clock in the nighttime of the same day.

Mr. Pickett of Keene moved that the House concur in the Senate amendment.

The question being on the motion to concur.

(Discussion ensued)

Mr. Pickett of Keene spoke in favor of the motion.

Messrs. Perkins of Concord, Turner of Keene and Sanborn of Wakefield, spoke against the motion.

On a *viva voce* vote the motion to concur did not prevail.

Mr. Perkins of Concord moved that the House non concur in the Senate amendment and a Committee of Conference be appointed.

On a *viva voce* vote the motion was adopted and the Speaker appointed as members on such committee on the part of the House, Messrs. Perkins of Concord and Turner and Pickett of Keene.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills to the following House bill, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 137, An act relative to Class I, Class II, Class IV, and Class V Highways.

Amend section 3 of said bill by striking out the first two lines and inserting in place thereof the following:

3. *Repeal of Inconsistent Laws.* Chapter 239, Laws of 1947, chapter 198, Laws of 1949, and sections 1 to 6 inclusive, of chapter 10, Laws of 1950, are hereby

Amend section 5 of said bill by inserting after the word "bonds" in the fifth line the words, or notes.

Amend section 7 of said bill by striking out the words in the last line "date when paid" and inserting in place thereof the words, time when payable.

On motion of Mr. Sanborn of Wakefield the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 71, An act providing for registration of automobile manufacturers.

Senate Bill Read and Referred

Senate Bill No. 71, An act providing for registration of automobile manufacturers.

Read a first and second time, and referred to the Committee on Transportation.

Resolutions

Mr. Milligan of Newbury offered the following resolution:

Whereas today, Thursday, April 19th, is Patriot's Day, a day greatly "revered" by all patriotic Americans, and

Whereas it is the real beginning of the Independence of the United States of America, therefore be it

Resolved, That we, the members of the House of Representatives of the State of New Hampshire, hereby recommend that the "memory" of Paul Revere and of the Minutemen of Lexington and Concord be in order at the present time and that it be

Further resolved, That this verbal "shot heard 'round the world" be a reminder to all nations of the world that the

United States of America is alive to the hopes of a lasting "Peace on earth, good will to men."

On a *viva voce* vote the resolution was adopted.

Mr. Ashley of Lebanon offered the following resolution:

Whereas we have learned of the death of Mrs. Elizabeth Cotton, mother of Norris Cotton, Congressman from New Hampshire, former Speaker of the House of Representatives and member from Warren and Lebanon for several sessions, therefore be it

Resolved, That we, the members of the House of Representatives, hereby extend our heartfelt sympathy to our former fellow member in his bereavement, and be it further

Resolved, That the Clerk of the House transmit to Congressman Cotton a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended, and business in order at 3 o'clock was made in order at the present time, and the third reading of a bill, by its title, made in order at the present time, and when the House adjourns today it adjourns to meet Tuesday, April 24, at 11:00 o'clock.

Third Reading

House Bill No. 192, An act relative to the charter of the city of Claremont.

Read a third time and passed, and sent to the Senate for concurrence.

On motion of Mrs. Saltmarsh of Concord at 12:12 o'clock the House adjourned.

TUESDAY, APRIL 24, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O Lord, who through Thy Son, Jesus Christ, hast said: "Render unto Caesar the things that are Caesar's, and unto God the things that are God's," help us to be true to this com-

mand. While we give to Thee our faith and our devotion, may we not be remiss in our obligation to the State. Help us, our God, to hold our franchise as a sacred trust, not only to believe in democracy but to live it. And in this legislative body where we are confronted with decisions that frequently determine the welfare of our state, may we ever so act that we may feel we have "done the right as Thou hast given us the light to see the right." We ask it in the name of Christ. Amen.

Leaves of Absence

Mr. Lang of Troy was granted leave of absence for the week on account of illness.

Messrs. Durelle of Portsmouth and Evans of Lancaster were granted leaves of absence for the week on account of important business.

Report of Commission

The report of the Commission on Mental Health was ordered printed in Appendix of Journal.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules, House Bill No. 418, An act repealing certain taxes and providing for additional revenue of the state, including a retail sales tax.

Read a first and second time, laid upon the table to be printed and referred to the Committee on Ways and Means.

Mr. Pickett of Keene moved that the rules of the House be suspended and the order whereby House Bill No. 418 was ordered printed and referred to a committee be vacated and the printing and reference to a committee be dispensed with.

The question being on the motion to suspend the rules.

(Discussion ensued)

Messrs. Kearns of Manchester and Pickett of Keene spoke in favor of the motion.

Messrs. Sanborn of Wakefield and Pillsbury of Manchester spoke against the motion.

Mr. Ecker of Manchester moved the previous question.

The question being: Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to suspend the rules and dispense with the printing and its reference to a committee on House Bill No. 418.

On a *viva voce* vote the motion did not prevail.

Mr. Charland of Franklin demanded the Yeas and Nays, but subsequently withdrew his demand.

Mr. Willey of Campton demanded the Yeas and Nays, and the roll was called with the following result:

Yeas, 102

MERRIMACK COUNTY: Baron of Allenstown, Moore, Marden, Dodge, Ferrin, Sawyer of Concord, Burke, Charland, Beale, DuDevoir, Payeur, Chandler.

HILLSBOROUGH COUNTY: Hambleton, Connor, Dwyer, Martel, Sweeney, Fitzgerald, Kean, Betley, Healy of Manchester, Ward 5, Kazakis, Proulx, Casey, Cavanaugh, Clancy, Ecker, Healy of Manchester, Ward 6, Zyla, Downey, Marcoux, Sullivan of Manchester, Constant, Delisle, Kane, Roy of Manchester, Cary, Gagnon, Auger, Getz, Kearns, Roukey, Lareau, Soucy, Vaillancourt, Chapdelaine, Gauthier, Thibodeau, Cannon, Donnelly, Wedick, Belcourt, Maynard of Nashua, Ward 3, Brosnahan, Cote, Marquis, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Chartrain, Dupont, Ryan, Grandmaison, Janelle, Pelletier of Nashua, Ward 8, Bouthillier, Pelletier of Nashua, Ward 9, Barry.

CHESHIRE COUNTY: O'Neil of Keene, Pickett, Walsh, Worcester.

SULLIVAN COUNTY: Baron of Claremont, Carton, Marcotte of Claremont.

GRAFTON COUNTY: None.

COOS COUNTY: Dussault, Hinchey, Moffett, Desilets, Henderson of Berlin, Sheridan, Morel, Sullivan of Berlin, Bouchard, Fontaine, Laforce, Roy of Berlin, Fraser, Placy.

ROCKINGHAM COUNTY: Cushing, LaBranche of Newmarket, Sewall, Dondero.

STRAFFORD COUNTY: Stackpole, Marcotte of Dover, Shaheen, Carroll, Flanagan, LaCasse, Lagueux.

BELKNAP COUNTY: Simoneau.

CARROLL COUNTY: None.

Nays, 255

MERRIMACK COUNTY: Putney, Ellsworth, Nicoll, Vogel, Tebbetts, Loiselle, Blodgett of Concord, Ward 4, Kennedy, Hurd, Perkins of Concord, Corbett, O'Neil of Concord, Saltmarsh, Tilton of Concord, Bunten, Freeman of Concord, Green of Concord, Blodgett of Concord, Ward 8, Nawn, Sargent, Hadley, Towle, Chase of Franklin, Ayotte, Maxwell, Mason, Milligan, Lamson, Wilman, Lea, Ferguson, Young, Powell, Sawyer of Wilmot.

HILLSBOROUGH COUNTY: Holmes, Wilson, French of Bedford, Black, Farwell, Poore, Reed, Doonan, English, Crosby, Sterling, Goodwin, Abbott, Spaulding of Hudson, Cummings of Lyndeborough, Corliss, Pettigrew, Danforth, Flanders, Geisel, Pillsbury, Peaslee, Falconer, Nelson, Wadleigh, Cooper, Ramsdell, Underhill, Boire, Record, Locke of New Boston, Ashley of New Ipswich, Mailloux, Bass, Cummings of Peterborough, French of Weare.

CHESHIRE COUNTY: Dort, Jackson, Miller of Fitzwilliam, Rathbun of Harrisville, Walker, Perry of Jaffrey, Spofford, Kirk, Landers, Wheeler, Bennett, Erwin, Codding, Turner, Sherwin, Kershaw, Billings, Ingham of Winchester, Thompson of Winchester.

SULLIVAN COUNTY: Bascom, Frizzell, Angus, Brooks, Converse, Bissonnett, Nahil, Carter of Cornish, Bailey, Perry of Newport, Rowell, Vaughan, Pierce, Gamsby, Callum.

GRAFTON COUNTY: Gingras, Chamberlin of Bath, Harrington, Plumer, Willey, Clarke of Canaan, Avery, Grass, Williams, Atkins, Fuller, Holden of Hanover, Chamberlin of Haverhill, McMeekin, Sleeper, Crafts, Adams, Ashley of Lebanon, Cole, Jones, Randall, Collins of Lisbon, Gardner, Kelley, Martin of Littleton, Pushee, Burrill, Skinner, Howard, Bell, Huckins, Barney, Horner, Anderson, Woodward, Gilbert, Sawyer of Woodstock.

COOS COUNTY: Shields, Brungot, Rines, Cummings of Colebrook, Gould, Oakes, Emerson, Kimball, Simonds, Means, Christopher, Ellingwood, Hilliard, Stinson, Taylor.

ROCKINGHAM COUNTY: Tuttle, Griffin of Auburn, Libby, Wastcoat, Darbe, Lindahl, Clark of Derry, Gay, Hepworth, Freeman of East Kingston, Eldredge, Kendall, Rathbone of Exeter, Richards, LeComte, Bonney, Putnam, Merrill, Ring, Thurlow, Eastman, McNeil, Hall of Londonderry, McCaffery, Sheehy, Holden of Newington, Wells, Carter of No. Hampton, Pinkham, McDaniel, Colcord, Sukeforth, Foote, Yeaton, Dame, Leary, Smart, Ingraham of Portsmouth, Bluitte, Philbrick, Haigh, Peever, Durkee, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Chase of Dover, Felker, Fellows, Crandall, Locke of Dover, Blanchard, Parker, Caldwell, Horne, Smith of New Durham, Rolfe, Dustin, Maxfield, Winters, St. Pierre, Studley, Fernald, Leach, Green of Rollinsford, Letourneau, Cater of Somersworth, Malley, Brown of Strafford.

BELKNAP COUNTY: Perkins of Alton, McAllister, Boutin, Weeks, Osborne, Hart of Laconia, Tilton of Laconia, Ward 3, Keller, Tilton of Laconia, Ward 4, O'Shan, Thompson of Laconia, Brown of Laconia, Smith of Meredith, Matthews, Atwood, Metcalf.

CARROLL COUNTY: Washburn, Benson, Downs, Hill, Morey, Nickerson, Lamprey, Moulton, Knox, Remick, Hodgdon, Sanborn, Hart of Wolfeboro, McHugh.

And the motion to suspend the rules to dispense with the printing and reference to a committee of House Bill No. 418 did not prevail.

By the Committee on Rules, House Bill No. 419, An act to increase certain revenues.

Read a first and second time, laid upon the table to be printed, and referred to the Committee on Ways and Means.

Engrossed Bills Report

Mrs. Shields of Berlin, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 97, An act relating to trustees and directors of savings banks.

House Bill No. 120, An act authorizing the Lebanon Center Precinct Fire Department to issue bonds for the construction and equipment of a new fire station in said precinct.

House Bill No. 137, An act relative to Class I, Class II, Class IV and Class V highways.

House Bill No. 195, An act relative to attaches of the legislature.

House Bill No. 200, An act relative to legal length of motor buses.

House Bill No. 291, An act to authorize New England Power Company to acquire and exercise in New Hampshire all the New Hampshire rights, properties and franchises of Connecticut River Power Company.

House Bill No. 299, An act to legalize the biennial election held in the town of Wilton, November 7, 1950.

House Bill No. 359, An act relative to protected and unprotected birds.

House Bill No. 378, An act relative to the election of members of the school committee in the city of Manchester.

House Bill No. 379, An act relative to the registration of wood processing mills.

House Bill No. 25, An act relating to yearly pension for the commissioner of charities of the city of Manchester.

Senate Bill No. 40, An act relating to notice by administrators to parties in pending actions.

Senate Bill No. 48, An act to amend the charter of the Manchester Women's Aid and Relief Society.

House Joint Resolution No. 35, Joint resolution in favor of the estates of George E. Laflamme, Mark J. Gorham and John M. Ewing.

The report was accepted.

Committee Reports

Mr. Tilton of Laconia, Ward 4, for the Committee on Judiciary, to whom was referred House Bill No. 144, An act relating to carrying of concealed pistols and revolvers, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend said bill by renumbering section 1 to read section 2 and by inserting before said section 1 the following new section:

1. *Pistols or Revolvers.* Amend section 4 of chapter 179

of the Revised Laws by striking out said section and inserting in place thereof the following: 4. *Carrying Without License.* No person shall carry a loaded pistol or revolver in any vehicle or concealed upon his person, except in his dwelling house or place of business, without a license therefore as hereinafter provided. A loaded pistol or revolver shall include any pistol or revolver with a magazine cylinder, chamber or clip in which there are loaded cartridges. Whoever violates the provisions of this section shall be fined not more than one hundred dollars, or imprisoned not more than one year, or both.

Further amend said bill by striking out the original section 2 and inserting in place thereof the following section:

3. *Purposes.* Amend section 6 of chapter 179 of the Revised Laws by striking out said section and inserting in place thereof the following: 6. *License to Carry.* The selectmen of a town or the mayor or chief of police of a city, or some full-time police officer designated by them respectively, upon application of any resident of said town or city, or the superintendent of the state police, or some person designated by him, upon application of a non-resident, shall issue a license to such applicant authorizing him to carry a loaded pistol or revolver in this state for not more than one year from the date of issue, if it appears that the applicant has good reason to fear injury to his person or property or has any proper purpose and that he is a suitable person to be licensed. Hunting or target shooting shall be considered a proper purpose. The license shall be in duplicate and shall bear the name, address, description and signature of the licensee. The original thereof shall be delivered to the licensee and the duplicate shall be preserved by the person issuing the same for one year. The fee for licenses issued to residents of the state shall be fifty cents, which fee shall be for the use of the law enforcement department of the town granting said licenses; the fee for licenses granted to out of state residents shall be one dollar, which fee shall be for the use of the state.

4. *Ammunition.* Amend chapter 441 of the Revised Laws by adding at the end thereof the following new section: 21. *Furnished to Minors.* Any person who shall sell, barter, hire, lend or give to any minor under the age of sixteen years any cartridges or shot shells suitable for discharge in any rifle, pistol, revolver or shotgun shall be fined not more than

one hundred dollars or imprisoned not more than three months or both. This section shall not apply to fathers, mothers, or guardians of such minor children.

Further amend said bill by renumbering section 3 to read section 5.

The report was accepted.

The bill with the amendment pending was laid upon the table, under Rule No. 48, to be taken up Thursday, April 26.

Mr. Turner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 184, An act establishing a domestic relations court within the framework of the superior court, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Martel of Manchester moved that the words, ought to pass, be substituted for the resolution of the committee, inexpedient to legislate.

The question being on the motion to substitute.

(Discussion ensued)

Mr. Martel of Manchester spoke in favor of the motion.

Messrs. Turner of Keene and Jones of Lebanon spoke against the motion.

On a *viva voce* vote the motion to substitute the words "ought to pass" for the resolution of the committee, "inexpedient to legislate" did not prevail.

The question being on the resolution of the committee. inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mrs. Brungot of Berlin, for the Committee on Judiciary, to whom was referred House Bill No. 204, An act relative to statute of limitations for prosecutions of offenses relative to practice of dentistry, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An act relative to the practice of dentistry.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Increase in Penalty.* Amend section 29 of chapter 251 of the Revised Laws by striking out the words "sixty days" in lines four and five and inserting in place thereof the words, one year, so that said section as amended shall read as follows: 29. *Penalty.* Except as otherwise provided, any person who shall practice or attempt to practice dentistry in this state without a license, or who violates any of the provisions of this chapter, shall be fined not less than fifty nor more than two hundred dollars, or imprisoned not more than one year, or both.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Angus of Claremont, for the Committee on Labor, to whom was referred House Bill No. 340, An act relative to unemployment compensation, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 5 of the bill by inserting at the end thereof the following new paragraph:

(5) It is further provided, however, that this subsection shall be ineffective as to any entitlement for benefits whatsoever if such benefits are based on earnings in any base period prior to the year 1946.

The report was accepted and the amendment adopted.

Mr. McMeekin of Haverhill offered the following amendment:

Amend section 5E by striking out the words "honorably discharged therefrom" in the fourth line of the printed bill, page 4 and inserting in place thereof the following: discharged or separated therefrom under conditions other than dishonorable, so that said section as amended shall read as follows:

E. Benefits to Persons upon Termination of Service in Military or Naval Forces of the United States. (1) An individual who has served in the military or naval forces of the United States, or any of its allies or of the United Nations, after July 1, 1950, and has been discharged or separated therefrom under conditions other than dishonorable, shall, if he is

otherwise and in all other respects eligible in accordance with the provisions of section 3 of this chapter and files, in accordance with such regulations as the commissioner shall prescribe, a claim for benefits with respect to a week of unemployment beginning not later than July 1, 1955, be entitled to receive whichever is the greater of:

The question being on the amendment.

(Discussion ensued)

Messrs. McMeekin of Haverhill and Angus of Claremont spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Miss Horner of Thornton, for the Committee on Municipal and County Government, to whom was referred House Bill No. 190, An act relating to medical and hospitalization benefits for employees of towns, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Miss Horner of Thornton, for the Committee on Municipal and County Government, to whom was referred House Bill No. 393, An act authorizing the town of Belmont to issue notes or bonds for the town water system, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. McMeekin of Haverhill, for the Special Committee consisting of the members from the County of Grafton, to whom was referred House Bill No. 323, An act relative to clerk hire in the office of register of probate in Grafton county, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Special Order

Mr. Bass of Peterborough called for the special order.

It being Senate Bill No. 41, An act relative to clerk hire in the office of the Hillsborough County sheriff.

The question being on the report of the committee that the bill ought to pass.

(Discussion ensued)

Mr. Bass of Peterborough spoke in favor of the motion.

On a *viva voce* vote the motion prevailed and the bill was ordered to a third reading..

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution sent up from the House of Representatives:

House Bill No. 120, An act authorizing the Lebanon Center Precinct Fire Department to issue bonds for the construction and equipment of a fire station in said precinct.

House Bill No. 379, An act relative to the registration of wood processing mills.

House Joint Resolution No. 35, Joint resolution in favor of the estates of George E. Laflamme, Mark J. Gorham and John M. Ewing.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

Senate Bill No. 25, An act relating to yearly pensions for employees of the highway department and for certain appointed officials of the city of Manchester.

Senate Bill No. 48, An act to amend the charter of the Manchester Women's Aid and Relief Society.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 59, An act changing the season for taking pheasants.

Senate Bill No. 63, An act relative to issuance of fish and game licenses to blind persons.

Senate Bill No. 69, An act to terminate the charter of Salisbury Academy.

Senate Bills Read and Referred

Senate Bill No. 59, An act changing the season for taking pheasants.

Senate Bill No. 63, An act relative to issuance of fish and game licenses to blind persons.

Severally read a first and second time, and referred to the Committee on Fish and Game.

Senate Bill No. 69, An act to terminate the charter of Salisbury Academy.

Read a first and second time, and referred to the Committee on Judiciary.

Resolution

Mr. French of Bedford offered the following resolution:

Whereas, today, April 24, 1951, is the fiftieth wedding anniversary of Bert L. Peaslee, Representative from Merrimack for the second time, and

Whereas, Representative Peaslee has served in many capacities and various offices such as town auditor, church treasurer, selectman for ten years, deputy fire warden for twenty-five years, and is a golden sheaf member of Thornton Grange of Merrimack and celebrating his golden wedding anniversary, therefore be it,

Resolved, That we, the members of the House of Representatives, hereby extend to our fellow member our heartiest congratulations on this memorable occasion and our best wishes to him and Mrs. Peaslee for many more years of happy married life, and be it further

Resolved, That when the House adjourns today it be in tribute to Representative Peaslee and that the Clerk of the House transmit to him a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

Concurrent Resolution

Mr. Chase of Dover offered the following concurrent resolution:

Whereas Charles Ralls, Commander in Chief of the Veterans of Foreign Wars, and Mrs. Sue Ilg, National President of the Veterans of Foreign Wars Auxiliary, will be making their official visit to New Hampshire in May, and

Whereas the General Court will be in session, therefore be it

Resolved, by the House of Representatives, the Senate concurring, That the General Court invite Commander in Chief Ralls and National President Mrs. Ilg to address the Joint Convention on Thursday, May 10th, at 11:00 A. M.

On a *viva voce* vote the concurrent resolution was adopted and sent to the Senate for concurrence.

On motion of Mr. Wadleigh of Milford the rules were suspended and business in order at 3:00 o'clock was made in order at the present time, and the third reading of bills be read by their titles, only.

Third Readings

House Bill No. 204, An act relative to statute of limitations for prosecution of offenses relative to practice of dentistry.

House Bill No. 323, An act relative to clerk hire in the office of register of probate in Grafton county.

House Bill No. 340, An act relative to unemployment compensation.

House Bill No. 393, An act authorizing the town of Belmont to issue notes or bonds for the town water system.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 41, An act relative to clerk hire in the office of the Hillsborough county sheriff.

Read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mr. McCaffery of Newcastle at 12:35 o'clock the House adjourned.

The Honorable President of the Senate,
The Honorable Speaker of the House of Representatives,
1951 Session of the General Court:

According to the provisions of Chapter 314, Public Acts and Joint Resolutions of the Legislature of 1949 in "An Act

Relating to the Care, Treatment and Rehabilitation of Sexual Psychopaths," it is the duty of the Commission of Mental Health "to make a thorough and complete study as to the size and specifications of a permanent facility for the housing of sexual psychopaths in the state" and to report the results of the study to the 1951 session of the General Court. The study made, and our recommendations based thereon, follow.

Since the first sexual psychopath was admitted to the State Hospital in September, 1949, just over 110 individuals have been examined by Boards of Examiners as possible sexual psychopaths, and there are 6 or 8 individuals so charged presently awaiting study and report. Sixty-six of this group have been admitted to the State Hospital for this observation and study. Of this group, thirty-four men have been committed to the State Hospital for indefinite care and treatment. To date only one of the patients indefinitely committed to the hospital has been discharged, as the law requires us to recommend the individual's release only when it can be said that he is either cured or no longer constitutes a potential danger in the community. We are informed by the Superintendent of the State Hospital that psychiatry's present state of knowledge regarding the treatment of psychopathic personalities, and particularly those with sexual deviations, is so limited that the results to be expected of any form of treatment presently known are most indefinite. It is possible that a second patient, who has been under treatment for over a year, may be found soon to warrant a trial in the community.

We are currently unable to determine the eventual number of sexual psychopaths who may require detention, care and treatment except on the basis of the number committed in the past 1½ years and by calling attention to the fact that an average of 2.2 patients per month have been admitted in the past six months. Therefore, we do not feel justified at this time in recommending the size and specifications of a permanent facility for the housing of sexual psychopaths.

If we are to continue this increasing group in the already overcrowded State Hospital, it is apparent that additional facilities and additional personnel for their care and treatment are a must. The Sexual Psychopath bill called for a separate building with needed personnel, including a Director, whose salary was to be $8,000 per annum, but the last Legis-

lature failed to vote any appropriation for these purposes. Our requests in our operating budget for the next biennium include requests for a physician of Senior Psychiatrist grade, for an occupational therapy assistant and for four additional attendants. Eventually the number of additional attendants required will of course increase as the number of patients increases. The four attendants mentioned are currently employed on a temporary basis with the approval of the Governor and Council since an escape of several of these individuals demonstrated the need for greater supervision. The physician requested is needed because, in addition to the time of physicians required for examinations and treatment in the State Hospital, further time of staff physicians is needed for service on boards of examiners, whose meetings are held in various parts of the State, and for testimony at Court hearings. The occupational therapist is required to provide occupation and physical and recreational activities for the group.

We also find it necessary to ask for capital expenditures for this group. The plan proposed is to enlarge the hospital's prison courtyard which is presently large enough for only 12-15 persons, by using part of the adjacent bakery building. The remainder of this building would be remodelled into an Occupational Therapy and Recreational Building for prisoners. The costs involved are as follows: Construction, equipment and supplies—$18,429.37. Operation and additional personnel, per annum—about $35,000. New bakery building—$93,562.50.

The alternatives to the above plan to continue sexual psychopaths in the State Hospital are (1) to build the separate institution envisioned in the law or (2) to place these people in the State Prison and to provide the needed psychiatric and psychological care there. Another possibility is that, if and when a Tri State institution for the care of defective delinquents is constructed, a separate division might be made available there for the sexual psychopaths of the three States, Maine, Vermont and New Hampshire. This latter plan could not be put into effect for several years.

For the immediate future, we incline to the State Prison plan as the more economical and as providing, with the addition of part-time psychiatric service, all of the treatment

facilities known currently to be of value. It is our understanding that room for this group is available at present at the State Prison. To activate the latter suggestion it is recognized that an amendment to the current law would be necessary.

Respectfully submitted,

ROBERT W. POTTER,
JOHN R. McLANE,
FRED N. DAVIS,
REV. P. J. KENNEALLY,
SARAH C. JOHNSON, M. D.,
CHARLES F. KELLEY, M. D.
HOWARD FLANDERS,

Board of Trustees, New Hampshire State Hospital

WEDNESDAY, APRIL 25, 1951

The House met according to adjournment.

Prayer was offered by Rev. Edmund F. Quirk, Pastor of St. Peter's Church, Concord, N. H.

Almighty God we thank Thee that we live in a land where men may publicly proclaim their faith in Thee and humbly invoke the blessings of Thy Divine Providence.

In particular, we ask Thy blessing upon these Legislators of our beloved state, that their deliberations and acts may ever conform to Thy divine will and ever be of pure and lasting service to the people who have chosen them.

Lord God Almighty, who has brought us safely to the beginning of this day, defend us herein with Thy power that on this day we may fall into no sin, but that our thoughts, words and deeds may always tend to do what is just in Thy sight. Through Jesus Christ our Lord, Amen.

Leaves of Absence

Messrs. Leach of Rochester and Thompson of Laconia were granted leaves of absence for the day on account of important business.

Mr. Rhodes of Walpole was granted leave of absence for the remainder of the week on account of illness.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Carroll of Dover, House Bill No. 420, An act establishing a program for prevention of juvenile delinquency and for the preservation of New Hampshire youth. Referred to the Committee on Public Welfare and State Institutions.

By the Committee on Rules, House Bill No. 421, An act making appropriations for capital improvements and long term repairs for the state of New Hampshire. Referred to the Committee on Appropriations.

Committee Reports

Mr. Wells of Newton, for the Committee on Judiciary, to whom was referred House Bill No. 153, An act relating to mortgaging of after-acquired property by a corporation, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Turner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 351, An act relative to the taxation of natural gas pipe lines, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tilton of Laconia, Ward 4, for the Committee on Judiciary, to whom was referred House Bill No. 355, An act relating to fine and imprisonment in offenses against the police of towns, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Wadleigh of Milford, for the Committee on Judiciary, to whom was referred House Bill No. 236, An act relative to

assessment and collection of poll taxes, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Putney of Andover, for the Committee on Fish and Game, to whom was referred House Bill No. 163, An act relating to the transportation and tagging of deer, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Green of Rollinsford, for the Committee on Municipal and County Government, to whom was referred House Bill No. 24, An act relating to public welfare and relief, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Reconsideration

Mr. Pickett of Keene moved that the House reconsider the vote whereby it adopted the resolution of the committee, inexpedient to legislate, on House Bill No. 24.

On a *viva voce* vote the motion to reconsider did not prevail.

Mr. Gardner of Littleton, for the Committee on Municipal and County Government, to whom was referred House Bill No. 266, An act increasing municipal permit fees for registration of motor vehicles, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Desilets of Berlin, for the Committee on Municipal and County Government, to whom was referred House Bill No. 353, An act relative to settlement of paupers, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Smith of Meredith moved that House Bill No. 353 be recommitted to the Committee on Municipal and County Government.

The question being on the motion to recommit.

(Discussion ensued)

Mr. Smith of Meredith spoke in favor of the motion.

On a *viva voce* vote the motion prevailed and House Bill No. 353 was recommitted to the Committee on Municipal and County Government.

Mr. Durell of Portsmouth, for the Committee on Public Works, to whom was referred House Bill No. 96, An act relative to a certain bridge in the town of Thornton, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relative to a certain road and bridge in the town of Thornton.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *State Secondary Highway System.* On and after the passage of this act the road and bridge over the Pemigewasset River in the town of Thornton connecting Route 3 with the road from Campton Village to Woodstock shall, after it shall have been placed in good repair for presently established load limits by the department of public works and highways, be classified as Class V.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Chandler of Warner, for the Committee on Public Works, to whom was referred House Bill No. 400, An act relative to bonds on public works, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Sawyer of Concord, for the Special Committee consisting of the members from the city of Concord, to whom was referred House Bill No. 212, An act empowering the city of

Concord to make charges for certain services, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 174, An act prohibiting games of beano on Sunday and playing of game by minors, and the President appointed as members of such committee on the part of the Senate, Senators Loizeaux and Brown.

Resolutions

Mr. Bass of Peterborough offered the following resolution:

Resolved, That the Clerk is hereby authorized to procure 1500 additional copies of House Bill No. 418.

On a *viva voce* vote the resolution was adopted.

Mr. Bass of Peterborough offered the following resolution:

Whereas, We have learned of the death of Arthur Jean, former Representative from Manchester, therefore be it

Resolved, That we, the members of the House of Representatives, hereby extend our heartfelt sympathy to his mother and two brothers, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to his mother, Mrs. Nellie Jean.

On a *viva voce* vote the resolution was adopted.

Mr. Ayotte of Franklin offered the following resolution:

Whereas, We learn with sorrow of the death of George Clark, a former member of the New Hampshire Senate and of the House of Representatives from the city of Franklin, therefore be it

Resolved, That the members of the House of Representatives extend our sympathy to his family, and be it further

Resolved, That a copy of these resolutions be transmitted by the Clerk to his brother, Harry Clark of Andover, N. H.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Fraser of Gorham business in order at 3:00 o'clock was made in order at the present time and the third reading of bills were read by their titles only.

Third Reading

House Bill No. 96, An act relative to a certain bridge in the town of Thornton.

House Bill No. 351, An act relative to the taxation of natural gas pipe lines.

House Bill No. 355, An act relative to fines and imprisonment in offenses against the police of towns.

House Bill No. 400, An act relative to bonds on public works.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Brungot of Berlin at 11:40 o'clock the House adjourned.

THURSDAY, APRIL 26, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God, the giver of all good, and who art more willing to give than we are to receive; in these days of misunderstanding, of loss of faith in Thee and in one another, of indifference, only too often toward those basic principles that have made us a great and prosperous people, help us to realize the truthfulness of the poet when he said:

"Right forever on the scaffold,
Wrong forever on the throne:
Yet that scaffold sways the future,
And behind the dim unknown,
Standeth God within the shadow
Keeping watch above his own."

Amen.

Leaves of Absence

Messrs. Bass of Peterborough and Spaulding of Hudson were granted leaves of absence for the day on account of important business.

Engrossed Bills Report

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, to whom was referred House Bill No. 173, An act relative to licenses of bonded warehouses, reported the same under Joint Rule No. 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first four lines and inserting in place thereof the following:

1. *Bonded Warehouses.* Amend section 1 of chapter 205 of the Revised Laws as amended by section 15, chapter 265, of the Laws of 1949, by striking out said section and inserting in place thereof the following:

On motion of Mr. Pillsbury of Manchester the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence.

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, to whom was referred House Bill No. 47, An act relative to registration and operation of motor vehicles by persons entering the military services of the United States for national defense and powers of the commissioner of motor vehicles, reported the same under Joint Rule No. 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 3 of said bill by striking out the last six lines of said section and inserting in place thereof the following: ages of sixteen and eighteen, otherwise duly qualified. During said period the provisions of sections 15 and 16 of chapter 117 of the Revised Laws, as amended by sections 6 and 7, chapter 189 of the Laws of 1949 and section 17, chapter 16 of the Laws of 1950, inconsistent with the provisions hereof, are hereby suspended. Said license shall be restricted to the operation of motor vehicles of one and one-half ton manufacturers' rating or less.

On motion of Mrs. Miller of Fitzwilliam the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence.

Committee Reports

Mr. Cushing of Derry, for the Committee on Aviation, to whom was referred House Bill No. 333, An act relating to the registration fee for private non-commercial landing areas, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by inserting after the numeral "VI" in the first line the word and figure, section 29, so that said section as amended shall read as follows:

1. *Aeronautics.* Amend paragraph VI, section 29 of chapter 306 of the Revised Laws by striking out said paragraph and inserting in place thereof the following: VI. For each private landing area, ten dollars, provided that if said area is used exclusively for non-commercial purposes no fee shall be collected for registration certificate.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Cushing of Derry, for the Committee on Aviation, to whom was referred House Bill No. 346, An act relating to the general exemption from property taxes of certain privately owned airports, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 of said bill by inserting after the word "license" in the fifth line the words, or registration certificate, so that said section as amended shall read as follows:

2. *Exemption from Property Tax.* Amend chapter 73 of the Revised Laws by adding after section 30 the following new section: 30-a. *Airport Exemption.* The owner of a privately owned airport having facilities available for public use without landing fee charges who holds, as of April first of any year, a license or registration certificate for such airport from the New Hampshire Aeronautics Commission, shall be exempt for each such year from taxation of the landing area used in connection with such airport.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Cushing of Derry, for the Committee on Aviation, to whom was referred House Bill No. 386, An act empowering towns and cities to establish a fund for aeronautical purposes, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Crosby of Hillsborough, for the Committee on Executive Departments and Administration, to whom was referred Senate Bill No. 9, An act relating to competitive bidding, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Cater of Somersworth, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 194, An act relative to qualifications for the practice of public accounting, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out the title and inserting in place thereof the following:

Relative to examinations for public accounting.

Further amend said bill by striking out sections 1 and 2 and inserting in place thereof the following:

1. *Public Accountancy.* Amend section 4 of chapter 320 of the Revised Laws by adding at the end thereof the words, Any person who meets the requirements for a certificate except the requirement for experience shall be entitled to be examined, so that said section as amended shall read as follows: 4. *Examinations.* All examinations shall be conducted by the board. The examinations shall take place as often as may be necessary in the opinion of the board but not less frequently than once each year. The time and place of holding examinations shall be designated by the board. A candidate who shall have passed a satisfactory examination in all but one of the subjects given by the board for examinations may be re-

examined in that subject only, at subsequent examinations held by the board, and if he passes in that subject, he shall be considered to have passed the examination. Nothing herein shall be construed as prohibiting the re-examination in all subjects of a candidate who has failed in a prior examination. Any person who meets the requirements for a certificate except the requirement for experience shall be entitled to be examined.

Further amend said bill by renumbering section 3 to read section 2.

The report was accepted.

The bill with the amendment pending was laid upon the table, under Rule No. 48, to be taken up Wednesday, May 2.

Mr. Cater of Somersworth, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 285, An act to regulate the practice of professional engineering, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Professional Engineering.* Amend chapter 170 of the Laws of 1945 by renumbering section 1 to read 1-a and by inserting a new section 1 as follows: 1. *General Provisions.* In order to safeguard life, health and property and to promote the public welfare, any person in either public or private capacity practicing or offering to practice professional engineering shall hereafter be required to submit evidence that he is qualified so to practice and shall be registered as hereinafter provided; and it shall be unlawful for any person to practice or to offer to practice in this state professional engineering as defined in the provisions of this act or to use in connection with his name or otherwise assume, use, or advertise any title or description tending to convey the impression that he is a professional engineer unless such person has been duly registered under the provisions of this act.

Amend section 8 of the bill by striking out said section and inserting in place thereof the following:

8. *Violations.* Amend section 27 of said chapter 170 by striking out said section and inserting in place thereof the following: 27. *Violations and Penalties.* Any person who

shall practice or offer to practice professional engineering in this state under the title of professional engineer without being registered in accordance with the provisions of this act, or any person presenting or attempting to use as his own the certificate of registration or the seal of another, or any person who shall give any false or forged evidence of any kind to the board or to any member thereof in obtaining a certificate of registration, or any person who shall falsely impersonate any other registrant of like or different name, or any person who shall attempt to use an expired or revoked certificate of registration, or any person who shall violate any of the provisions of this act, shall be guilty of a misdemeanor, and shall, upon conviction, be sentenced to pay a fine of not less than one hundred dollars nor more than five hundred dollars.

Amend paragraph I of section 27-a of said chapter 170 as inserted by section 9 of the bill by striking out the word "legally" so that said paragraph as amended shall read as follows:

I. The practice of any other recognized profession or trade, or

Amend paragraph III of said section 27-a as inserted by said section 9 by inserting before the word "engineering" in the fourth and eighth lines the word, professional, so that said paragraph as amended shall read as follows:

III. The practice of a person not a resident of and having no established place of business in this state, or who has recently become a resident thereof, practicing or offering to practice professional engineering herein for more than thirty days in any calendar year, if he shall have filed with the board an application for a certificate of registration and shall have paid the fee required by this act; provided that such a person is legally qualified by registration to practice professional engineering in his own state or country in which the requirements and qualifications for obtaining a certificate of registration are not lower than those specified in this act. Such practice shall continue only for such time as the board requires for the consideration of the application for registration; or

Amend paragraph V of said section 27-a as inserted by said section 9 by inserting before the word "engineering" in

the third line the word, professional, so that said paragraph as amended shall read as follows:

V. The practice of officers and employees of the government of the United States while engaged within this state in the practice of professional engineering, for said government; or

Amend paragraph VIII of said section 27-a as inserted by said section 9 by inserting before the word "engineering" in the first line the word, professional, so that said paragraph as amended shall read as follows:

VIII. The practice of professional engineering by any person or by any employee of any copartnership, association or corporation, upon property owned by such person or such copartnership, association or corporation unless such practice affects the public welfare, or the safeguarding of life or health or the property of some other person.

Amend section 11 of the bill by striking out said section and inserting in place thereof the following:

11. *Takes Effect.* This act shall take effect as of January 1, 1952.

Further amend the bill by striking out sections 2, 3, 6 and 7 and by renumbering sections 4, 5, 8, 9, 10 and 11 to read sections 2, 3, 4, 5, 6 and 7 respectively.

The report was accepted.

The bill, with the amendment pending, was laid upon the table under Rule No. 48, to be taken up May 2.

Mrs. Kendall of Exeter, for the Committee on Insurance, to whom was referred Senate Bill No. 35, An act relating to motor vehicle liability policy forms, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Kendall of Exeter, for the Committee on Insurance, to whom was referred House Bill No. 372, An act relating to the sale of securities and defining a dealer therein, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by adding a new section as follows:

2. *Registration of Salesmen.* Amend section 18 of chap-

ter 336 of the Revised Laws by inserting after the word "dealer" in the second line thereof the word, buy, so that said section as amended shall read as follows: 18. *Registration Required.* No salesman or agent shall in this state, in behalf of any dealer, buy, sell, offer for sale, or invite offers for or inquiries about securities unless registered as a salesman or agent of such dealer under the provisions of this chapter.

Further amend said bill by renumbering section 2 to be section 3.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Pickett of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 234, An act relative to abatement of taxes, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Cooper of Nashua, for the Committee on Judiciary, to whom was referred House Bill No. 319, An act relative to oaths under absentee voting procedure, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. McMeekin of Haverhill moved that House Bill No. 319 be recommitted to the Committee on Judiciary.

The question being on the motion to recommit.

(Discussion ensued)

Messrs. McMeekin of Haverhill and Perkins of Concord spoke in favor of the motion.

On a *viva voce* vote the bill was recommitted to the Committee on Judiciary.

Mr. Turner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 395, An act relating to municipal planning boards, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Green of Rollinsford, for the Committee on Municipal and County Government, to whom was referred House Bill No. 235, An act relative to printing town tax levies, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Green of Rollinsford, for the Committee on Municipal and County Government, to whom was referred House Bill No. 399, An act relating to the moderators of school districts, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. English of Hancock moved that House Bill No. 399 be laid upon the table and made a special order for Wednesday, May 2, at 11:02 o'clock.

The question being on the motion.

(Discussion ensued)

Mr. English of Hancock spoke in favor of the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Pillsbury of Manchester moved that House Bill No. 399 be laid upon the table and made a special order for Wednesday, at 11:03 o'clock.

On a *viva voce* vote the motion prevailed and House Bill No. 399 was laid upon the table, and made a special order for Wednesday, at 11:03 o'clock.

Mrs. Horner of Thornton, for the Committee on Municipal and County Government, to whom was referred House Bill No. 358, An act relative to town moderators, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. English of Hancock moved that House Bill No. 358 be laid upon the table and made a special order for Wednesday, May 2, at 11:02 o'clock.

The question being on the motion.

(Discussion ensued)

Mr. Sanborn of Wakefield spoke in favor of the motion.

On a *viva voce* vote the motion prevailed and House Bill No. 358 was laid upon the table and made a special order for Wednesday, May 2, at 11:02 o'clock.

Taken from the Table

Mr. Tilton of Ward 4, Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 144, An act relating to carrying of concealed pistols and revolvers, reported the same with the amendment as printed in the Journal of April 24, 1951, and the recommendation that the bill as amended ought to pass.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Resolution

Mr. Green of Rollinsford offered the following resolution:

Whereas, we have learned with sorrow of the death of Cleophas E. Hudon, Town Clerk of Rollinsford since 1924 and former president of the Association of City and Town Clerks, and widely known throughout the State of New Hampshire because of his excellence as a Town Clerk, therefore be it

Resolved, That we, the members of the House of Representatives of the New Hampshire Legislature, extend our heartfelt sympathy to the family of the deceased in their bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to the family.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended, business in order at 3:00 o'clock was made in order at the present time, and the third reading of bills were read by their titles, and when the House adjourns today it adjourns to meet Tuesday, May 1, at 11:00 o'clock.

Third Readings

House Bill No. 144, An act relating to carrying of concealed pistols and revolvers.

House Bill No. 333, An act relating to the registration fee for private non-commercial landing areas.

House Bill No. 346, An act relating to the general exemption from property taxes of certain privately owned airports.

House Bill No. 372, An act relating to the sale of securities and defining a dealer therein.

House Bill No. 386, An act empowering towns and cities to establish a fund for aeronautical purposes.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 35, An act relating to motor vehicle liability policy forms.

Read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mr. Pierce of Plainfield at 11:38 o'clock the House adjourned.

TUESDAY, MAY 1, 1951

The House met according to adjournment.

Prayer was offered by Guest Chaplain Rev. Calder M. Miller, pastor of Lyndeboro Baptist and Congregational Christian Churches and Wilton Center Baptist Church.

Our Father, we thank Thee for the rest of the night and Thy provisions for our needs of the new day. We thank Thee for the duties and the obligations which come to us all. Grant strength and courage to all those in authority. Give unto those who govern, wisdom to see the right and courage to see it through.

Grant wisdom and understanding to those who legislate. May Thy presence rest with all Thy children that our day may be begun, continued and ended in Thee. Amen.

Leaves of Absence

Mrs. Sukeforth of Portsmouth and Mrs. Jackson of Dublin were granted leaves of absence for the day on account of important business.

Messrs. Mailloux of Pelham and Waterhouse of Windham were granted leaves of absence for the day on account of important business.

Engrossed Bills Report

Mrs. Holmes of Amherst, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolution:

House Bill No. 118, An act to provide for absentee voting for persons in the armed forces and civilians serving therewith.

House Bill No. 136, An act relative to support of permanently and totally disabled persons.

House Bill No. 147, An act relative to the closing of county offices on Saturdays.

House Bill No. 154, An act relating to the clerk's fee for issuing certificate of conformity to requirements of marriage intentions notice.

House Bill No. 222, An act relative to the fees of public weighers.

House Bill No. 290, An act relative to child labor.

House Bill No. 320, An act relative to fees for registration as legislative counsel.

Senate Bill No. 35, An act relating to motor vehicle liability policy forms.

Senate Bill No. 41, An act relative to clerk hire in the office of the Hillsborough county sheriff.

House Joint Resolution No. 28, Joint resolution relative to purchase of automobiles by state employees and officials.

The report was accepted.

Reconsideration

Mr. Hill of Conway moved to reconsider the vote whereby the House passed House Bill No. 346, An act relating to the general exemption from property taxes of certain privately owned airports.

The question being on the motion to reconsider.

Mr. Hill of Conway asked for a division.

A division being had, 156 members having voted in the affirmative and 113 members having voted in the negative, the motion to reconsider prevailed.

Recall

Mr. Sanborn of Wakefield moved that House Bill No. 346 be recalled from the Senate for further consideration.

On a *viva voce* vote the motion prevailed.

Committee Reports

Mr. Vaughan of Newport, for the Committee on Education, to whom was referred Senate Bill No. 65, An act relative to legalizing the annual meeting of 1951 of the school district of Gorham, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Landers of Keene, for the Committee on Education, to whom was referred House Bill No. 404, An act relative to age requirements for the practice of nursing, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Sawyer of Wilmot, for the Committee on Education, to whom was referred House Bill No. 402, An act providing for tuition payments for handicapped children, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by inserting after the word "attend" in the fourth line the words, with the approval of the State Board of Education; and by adding at the end thereof the words and figures, and chapter 137, section 3-a, so that said section as amended shall read as follows:

1. *School Districts.* Amend chapter 134 of the Revised Laws by inserting after section 43 the following new section:

43-a. *Tuition of Handicapped Children.* Whenever any handicapped child, of whatever age, shall attend, with the approval of the State Board of Education, any public or private school, situated within or outside of this state, which offers special instruction for the training or education of handicapped children and which has been approved for such training by the state board of education, the school district where such handicapped child resides shall be liable for the tuition of said child in the same manner and amount as specified in Revised Laws, chapter 138, section 26 and chapter 137, section 3-a.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Putney of Andover, for the Committee on Fish and Game, to whom was referred House Bill No. 383, An act relative to fees for licenses to hunt or fish, and for guides, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out in the sixth and twelfth lines the word "seventy-five" and inserting in place thereof the word, fifty, and by striking out in the seventeenth line the word "four" and inserting in place thereof the word, three, so that said section as amended shall read as follows:

1. *Fish and Game.* Amend paragraph I of section 6 of chapter 247 of the Revised Laws as amended by section 1, chapter 217 of the Laws of 1947 by striking out said paragraph and inserting in place thereof the following new paragraphs:

I. If the applicant is a resident of this state and wishes to hunt, two dollars and fifty cents, and the agent shall thereupon issue a resident hunting license which shall entitle the licensee to hunt, shoot, kill or take, except by the use of traps, and to transport game birds, game animals under the restrictions of this title.

I-a. If the applicant is a resident of this state and wishes to fish, two dollars and fifty cents, and the agent shall thereupon issue a resident fishing license, which shall entitle the licensee to kill, take and transport fish and salt water smelt under the restrictions of this title.

I-b. If the applicant is a resident of this state and wishes to hunt and fish, three dollars and seventy-five cents, and the agent shall thereupon issue a resident hunting and fishing license, which shall entitle the licensee to hunt, shoot, kill or take, except by the use of traps, and to transport game birds, game animals, fish, and salt water smelt, under the restrictions of this title.

Amend section 6 of the bill by striking out said section and inserting in place thereof the following:

6. *Registration of Guides.* Amend section 4 of chapter 248 of the Revised Laws by striking out the same and inserting in place thereof the following: 4. *Fees.* Every resident applicant for a license as a guide shall pay to the director

therefor the sum of three dollars. Every nonresident applicant for a license as a guide shall pay to the director therefor the sum of thirty dollars.

Amend said bill by adding after section 6 the following new section to read as follows:

7. *No License Required.* Amend chapter 245 of the Revised Laws by adding after section 57 the following new section: 57-a. No fishing license will be required to take salt water smelt, by hook and line, from the Piscataqua river and its tributaries, south of the Memorial bridge.

Further amend said bill by renumbering section 7 to read section 8.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Washburn of Bartlett spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Pickett of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 304, An act relative to the ballot-law commission, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Malley of Somersworth, for the Committee on Ways and Means, to whom was referred House Bill No. 357, An act relative to reimbursement by municipalities of expense of audit by state tax commission, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Turner of Keene, for the Committee on Judiciary, to whom was referred House Resolution regarding communism, having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Judiciary, to whom was referred House Resolution regarding communism, having considered the same, and being unable to agree with the majority, reported the same with the following amendment, and the recommendation that the resolution as amended ought to pass.

Amend said resolution by striking out the caption and inserting in place thereof the following:

Resolution requesting members of Congress to report gratuities, fees, etc., received in addition to salaries.

Amend said resolution by striking out the first two paragraphs of the resolution.

CHARLES W. TOBEY, JR.
DANIEL J. HEALY
A Minority of the Committee.

The reports were accepted.

Mr. Tobey of Concord moved to substitute the minority report, ought to pass with amendment, for the majority report, inexpedient to legislate.

The question being on the motion to substitute.

(Discussion ensued)

Mr. Tobey of Concord spoke in favor of the motion.

Messrs. Turner of Keene, Pillsbury of Manchester, and Jones of Lebanon spoke against the motion.

On a *viva voce* vote the motion to substitute did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

Mr. Pillsbury of Manchester moved to indefinitely postpone.

On a *viva voce* vote the motion to indefinitely postpone prevailed.

Mr. Turner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 206, An act relative to a public recording by the members of the Congress of the United States from the State of New Hampshire of any fees, salaries, gifts, gratuities, loans or other considerations received while serving as members of the United States Congress, having con-

sidered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Judiciary, to whom was referred House Bill No. 206, An act relative to a public recording by the members of the Congress of the United States from the State of New Hampshire of any fees, salaries, gifts, gratuities, loans or other considerations received while serving as members of the United States Congress, having considered the same, being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

CHARLES W. TOBEY, JR.
DANIEL J. HEALY
A Minority of the Committee.

The reports were accepted.

Mr. Turner of Keene moved that the bill and reports be indefinitely postponed.

On a *viva voce* vote the motion to indefinitely postpone prevailed.

Mr. Foote of Portsmouth, for the Committee on Liquor Laws, to whom was referred House Bill No. 20, An act relative to liquor licenses for restaurants, having considered the same, reported the same with the recommendation that the bill ought to pass.

The undersigned, a minority of the Committee on Liquor Laws, to whom was referred House Bill No. 20, An act relative to liquor licenses for restaurants, having considered the same, and being unable to agree with the majority, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

ALFRED W. POORE,
JOHN C. TILTON,
GEO. L. HURD,
JOHN H. YEATON,
JAMES M. ERWIN,
THOMAS F. McCAFFERY,
A Minority of the Committee.

The reports were accepted.

Mr. Poore of Goffstown moved that the minority report, inexpedient to legislate, be substituted for the majority report, ought to pass.

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Poore of Goffstown, Tilton of Concord and Reed of Goffstown, and Mrs. Brooks of Claremont, spoke in favor of the motion.

Messrs. Brown of Laconia, Green of Rollinsford, Black of Bennington, Pickett of Keene and Gingras of Ashland, spoke against the motion.

(Mr. Pillsbury of Manchester in Chair)

Mr. Eldredge of Exeter spoke in favor of the motion.

Mr. Geisel of Manchester spoke against the motion.

(Speaker in Chair)

Messrs. Clarke of Canaan, Wadleigh of Milford, Martel of Manchester, Charland of Franklin and Mrs. Richards of Exeter, spoke in favor of the motion.

Messrs. Plumer of Bristol and Betley of Manchester, and Mrs. St. Pierre of Rochester, spoke against the motion.

Mr. Payeur of Pembroke moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute the minority report for that of the majority.

Mr. Wheeler of Keene demanded the Yeas and Nays, and the roll was called with the following result:

Yeas, 216

CHESHIRE COUNTY: Burnham, Dort, Miller of Fitzwilliam, Walker, Perry of Jaffrey, Spofford, Kirk, Landers, Wheeler, Bennett, Erwin, Codding, Turner, Kershaw, Lang, Billings, Ingham of Winchester.

SULLIVAN COUNTY: Bascom, Frizzell, Brooks, Converse, Bissonnett, Millar of Claremont, Baron of Claremont, Carter of Cornish, Perry of Newport, Rowell, Pierce, Callum.

GRAFTON COUNTY: Chamberlin of Bath, Clarke of Canaan, Grass, Williams, Atkins, Fuller, Holden of Hanover, Chamberlin of Haverhill, Sleeper, Adams, Randall, Collins of Lisbon, Kelley, Martin of Littleton, Burrill, Howard, Bell, Huckins, Barney, Horner, Woodward, Gilbert, Sawyer of Woodstock.

COOS COUNTY: Shields, Fontaine, Cummings of Colebrook, Gould, Oakes, Emerson, Kimball, Evans, Simonds, Ellingwood, Hilliard, Placy, Taylor.

ROCKINGHAM COUNTY: Tuttle, Griffin of Auburn, Wastcoat, Hazelton, Darbe, Clark of Derry, Gay, Hepworth, Freeman of East Kingston, Eldredge, Kendall, Rathbone of Exeter, Richards, Bonney, Putnam, Merrill, Ring, Thurlow, Eastman, McNeil, Hall of Londonderry, McCaffery, Wells, Carter of No. Hampton, Pinkham, McDaniel, Colcord, Foote, Yeaton, Smart, Ingraham of Portsmouth, Bluitte, Philbrick, Haigh, Peever.

STRAFFORD COUNTY: Swain, Chase of Dover, Stackpole, Felker, Fellows, Crandall, Locke of Dover, Henderson of Durham, Blanchard, Parker, Caldwell, Horne, Smith of New Durham, Rolfe, Dustin, Maxfield, Studley, Fernald, Cater of Somersworth, Brown of Strafford.

BELKNAP COUNTY: Perkins of Alton, McAllister, Weeks, Osborne, Hart of Laconia, Tilton of Laconia, Ward 3, Keller, Tilton of Laconia, Ward 4, Ransom, Smith of Meredith, Matthews, Atwood, Metcalf.

CARROLL COUNTY: Washburn, Benson, Downs, Hill, Morey, Nickerson, Lamprey, Moulton, Knox, Remick, Hodgdon, Sanborn, Hart of Wolfeboro, McHugh.

MERRIMACK COUNTY: Putney, Nicoll, Moore, Vogel, Marden, Tebbetts, Loiselle, Blodgett of Concord, Ward 4, Kennedy of Concord, Tobey, Hurd, Perkins of Concord, O'Neil of Concord, Saltmarsh, Tilton of Concord, Brunel, Bunten, Freeman of Concord, Greene of Concord, Blodgett of Concord, Ward 8, Sargent, Hadley, Towle, Chase of Franklin, Burke, Ayotte, Charland, Maxwell, Mason, Davis of Hopkinton, Smith of Loudon, Milligan, Wilman, Ferguson, Powell, Sawyer of Wilmot.

HILLSBOROUGH COUNTY: Holmes, Wilson, Farwell, Poore, Reed, Doonan, English, Sterling, Goodwin, Abbott, Corliss,

Pillsbury, Connor, Martel, Kean, Peaslee, Falconer, Nelson, Wadleigh, Cooper, Ramsdell, Underhill, Record, Maynard of Nashua, Ward 3, Brosnahan, Cote, Janelle, Pelletier of Nashua, Ward 8, Bouthillier, Locke of New Boston, Ashley of New Ipswich, Bass, Cummings of Peterborough, French of Weare.

Nays, 138

CHESHIRE COUNTY: O'Neil of Keene, Pickett, Walsh, Sherwin, Worcester, Aylward, Rhodes, Thompson of Winchester.

SULLIVAN COUNTY: Angus, Nahil, Marcotte of Claremont, Gamsby.

GRAFTON COUNTY: Gingras, Harrington, Plumer, Willey, Avery, Lorden, McMeekin, Crafts, Ashley of Lebanon, Cole, Jones, Griffin of Lincoln, Gardner, Pushee, Skinner, Anderson.

COOS COUNTY: Hinchey, Moffett, Desilets, Henderson of Berlin, Sheridan, Brungot, Morel, Sullivan of Berlin, Bouchard, LaForce, Roy of Berlin, Rines, Means, Christopher, Stinson.

ROCKINGHAM COUNTY: Libby, Lindahl, Fecteau, LeComte, Sheehy, Holden of Newington, LaBranche of Newmarket, Sewall, Durell, Leary, Durkee.

STRAFFORD COUNTY: Karkavelas, Marcotte of Dover, Shaheen, Carroll, Winters, LaCasse, St. Pierre, Leach, Green of Rollinsford, Lagueux, LeTourneau, Malley.

BELKNAP COUNTY: Boutin, Simoneau, O'Shan, Thompson of Laconia, Brown of Laconia.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Baron of Allenstown, Dodge, Ferrin, Corbett, Nawn, Sawyer of Concord, Beale, Dudevoir, Lamson, Lea, Payeur, Young, Chandler.

HILLSBOROUGH COUNTY: French of Bedford, Black, Hambleton, Crosby, Spaulding of Hudson, Kennedy of Manchester, Pettigrew, Danforth, Flanders, Geisel, Dwyer, Sweeney, Fitzgerald, Nolan, Betley, Healy of Manchester, Ward 5, Proulx, Clancy, Ecker, Healy of Manchester, Ward 6, Zyla, Downey, Marcoux, Sullivan of Manchester, Constant, Delisle,

Kane, Cary, Gagnon, Auger, Getz, Roukey, Lareau, Soucy, Vaillancourt, Daniel, Gauthier, Thibodeau, Cannon, Donnelly, Wedick, Boire, Belcourt, Marquis, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Chartrain, Dupont, Ryan, Cormier, Grandmaison, Barry.

Pairs

Mr. Rathbun of Harrisville voting Yes paired with Mr. Hines of Windsor voting No.

Mr. Collins of Keene voting No paired with Mr. Vaughan of Newport voting Yes.

Mr. Scamman of Stratham voting Yes paired with Mr. Casey of Manchester voting No.

And the motion to substitute the minority report prevailed.

The question being on the resolution of the committee, inexpedient to legislate.

Mr. Wadleigh of Milford moved that the bill be indefinitely postponed.

Mr. Peever of Salem called for a division.

A division being had, 230 members having voted in the affirmative, and 80 members having voted in the negative, the motion to indefinitely postpone prevailed.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

House Bill No. 59, An act relative to recording fees for town clerks.

House Bill No. 136, An act relative to support of permanently and totally disabled persons.

House Bill No. 147, An act relative to the closing of county offices on Saturday.

House Bill No. 154, An act relating to the clerk's fee for issuing certificate of conformity to requirements of marriage intentions notice.

House Bill No. 222, An act relative to the fees of public weighers.

House Bill No. 290, An act relative to child labor.

House Bill No. 320, An act relative to fees for registration as legislative counsel.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 339, An act relative to the duties of the director of the division of employment security.

Amend section 1 of the bill by striking out in line 8 after the word "name," the words "and instead," and substituting in place thereof the words, or stead, so that said section as amended shall read as follows:

1. *Duties of the Director of the Division of Employment Security.* Amend section 9, Part 18 of chapter 5 of the Laws of 1950, by striking out the whole of the same and inserting in place thereof the following: 9. *Duties.* The director shall be the executive officer of the division of employment security and exercise full direction and general supervision thereof; the authority and power of the labor commissioner as provided in chapter 211 and chapter 218 of the Revised Laws, as amended, are hereby transferred to the director and he is hereby authorized to act in the name or stead of the labor commissioner in all matters pertaining thereto.

On motion of Mr. Kennedy of Manchester the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 10, An act relative to conduct of elections in towns.

Amend section 1 of the bill by adding after the word "on" in line eleven the words, or before, so that said section as amended shall read as follows:

1. *Towns.* Amend section 36 of chapter 34 of the Revised Laws as amended by section 1, chapter 186, Laws of 1947, by striking out said section and inserting in place thereof

the following: 36. *Time Polls Open and Close; Towns.* At all biennial elections and primaries in towns the population of which is less than seven hundred according to the last federal census, the polls shall be open not less than five consecutive hours, and so much longer as shall be necessary to afford every voter present and desiring to vote an opportunity to do so, and until the voters present shall vote to close the polls, provided that upon written request signed by seven registered voters of the town and delivered on or before the Saturday previous to the biennial elections or primaries into the hands of the selectmen for biennial elections and to the town clerk for primaries the aforesaid polls shall be kept open until six o'clock in the evening; and provided further whenever in towns having less than one hundred population the names of those who have voted plus the absentee ballots received at the polls equals the number of all the names on the checklist, the meeting may vote to close the polls forthwith. In all other towns the polls shall be open not later than ten o'clock in the forenoon and shall be closed not earlier than six o'clock in the evening. In all towns the selectmen, in the warrants for the biennial elections, and the town clerk, in the notices for primaries, shall prescribe and post the hour the polls are to open and the hour before which the polls may not close as provided by this section. The meeting may vote to keep the polls open to a later hour, but may not vote to close the polls at an earlier hour than that so prescribed by the selectmen or town clerk, except as otherwise herein provided.

On motion of Mr. Holden of Hanover the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 309, An act relative to payments by tax collector.

Amend section one of the bill by striking out in line 20 the word "on" and substituting in place thereof the word, by, so that said section as amended shall read as follows:

1. *Tax Collections.* Amend section 31 of chapter 59 of the Revised Laws by striking out said section and inserting in place thereof the following: 31. *Duties of Collector.* Every collector of taxes shall keep in suitable books provided for the

purpose a fair and correct account in detail of the taxes due, collected, and abated, and of all property sold for nonpayment of taxes; and these accounts shall be public records. The collector shall, on the last Monday of every month, pay to the town treasurer all money collected by him up to that time. He shall also make a final payment to the town treasurer of all moneys collected by him prior to December thirty-first as soon as possible after said close of the fiscal year. He shall submit his tax books and lists to the treasurer and selectmen for inspection and computation, and if the treasurer or selectmen discover any errors therein they shall immediately notify the town auditors thereof; and thereupon the auditors shall at once examine the collector's records and make a report in writing to the selectmen and the state tax commission stating all errors that may be found. The collector shall also submit his tax books and lists to the selectmen for inspection and examination whenever so requested by them. He shall by the last Monday of each month maintain office hours in the town hall building or other place designated as a meeting place for the selectmen, for the transaction of tax business. He shall make a written report to the town at the end of each fiscal year, which shall contain the following information: the amount of taxes set down for him to collect; the amount of such taxes collected, together with any interest thereon; the amount of discount allowed, if any; the amount of taxes abated; a detailed list of uncollected taxes, and the amount received for such taxes as were payable for any prior tax year. This report shall also contain a detailed account of the sale by him of any property for nonpayment of taxes.

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Hodgdon of Tuftonboro the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 18, An act to establish a state council for teacher education.

Senate Bill No. 61, An act relative to hunting deer with bow and arrow.

Senate Bills Read and Referred

Senate Bill No. 18, An act to establish a state council for teacher education.

Read a first and second time, and referred to the Committee on Education.

Senate Bill No. 61, An act relative to hunting deer with bow and arrow.

Read a first and second time, and referred to the Committee on Fisheries and Game.

Concurrent Resolutions

Mr. Sanborn of Wakefield offered the following concurrent resolution:

Whereas, Wednesday, May 30th, is Memorial Day, a legal holiday, therefore be it

Resolved, by the House of Representatives, the Senate concurring, That the working days of the General Court for that week shall be Monday and Tuesday, May 28th and May 29th.

On a *viva voce* vote the resolution was adopted.

Mr. Fernald of Rochester offered the following concurrent resolution:

Whereas, it has been established by precedent and custom that the General Court invite as its guest at a session following his inaugural, a new President of the University of New Hampshire, and

Whereas, on April 25, 1951 Dr. Robert F. Chandler was inaugurated as the twelfth President of the University of New Hampshire, therefore be it

Resolved, by the House of Representatives, the Senate concurring, That the General Court invite Dr. Robert F. Chandler, President of the University of New Hampshire, to address the Joint Convention on Wednesday, May 9.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended, business in order at 3 o'clock was made in order at the present time, and the third reading of bills were read by their titles.

Third Readings

House Bill No. 304, An act relative to the ballot-law commission.

House Bill No. 357, An act relative to reimbursement by municipalities of expense of audit by state tax commission.

House Bill No. 383, An act relative to fees for licenses to hunt or fish, and for guides.

House Bill No. 402, An act providing for tuition payments for handicapped children.

House Bill No. 404, An act relative to age requirements for the practice of nursing.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 65, An act relative to legalizing the annual meeting of 1951 of the school district of Gorham.

Read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mr. Sargent of Danbury at 2:40 o'clock the House adjourned.

WEDNESDAY, MAY 2, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God, Thou Infinite of Days; we have watched great men, righteous men, come and go, but Thy truth and justice go marching on through the ages. And because these fundamental principles are eternal, and do not die with passing generations, permit us, we beseech Thee, to have some part in the uplift of mankind. Keep us loyal, we pray Thee, to the wide, large need of our fellow-men. Preserve us from pride and narrowness and give to us the open mind that we may see the other fellow's point of view, and the willingness to listen and learn; that when the task of the day is over, we may feel that the faithful steward's part has been ours. And to Thee shall be the glory and praise forevermore. Amen.

Leave of Absence

Mr. Brunel of Concord was granted leave of absence for the day on account of important business.

Committee Reports

Mr. Evans of Lancaster, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 10, Joint resolution making appropriation for the Yankee Division Convention to be held in the City of Portsmouth, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. O'Shan of Laconia moved that the words, ought to pass, be substituted for the resolution of the committee, inexpedient to legislate.

The question being on the motion to substitute.

(Discussion ensued)

Messrs. O'Shan of Laconia, Chase of Dover, Pickett of Keene, Geisel of Manchester, Baron of Claremont and Angus of Claremont spoke in favor of the motion.

Messrs. Sanborn of Wakefield, Pillsbury of Manchester, Eldredge of Exeter and Scamman of Stratham, and Mrs. Millar of Claremont and Mrs. Greene of Concord spoke against the motion.

Mr. Ingraham of Portsmouth moved the previous question.

The question being: Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute the words, ought to pass, for the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the Chair was in doubt.

Mr. Eldredge of Exeter demanded the Yeas and Nays and the roll was called with the following result:

Yeas, 147

ROCKINGHAM COUNTY: Libby, Gay, Hepworth, Bonney, McNeil, McCaffery, Sheehy, LaBranche of Newmarket, Sewall, Durell, Foote, Yeaton, Leary, Smart, Ingraham of Portsmouth, Philbrick.

STRAFFORD COUNTY: Chase of Dover, Stackpole, Marcotte of Dover, Shaheen, Fellows, Carroll, Flanagan, Blanchard, Caldwell, Rolfe, LaCasse, St. Pierre, Lagueux, Letourneau, Cater of Somersworth, Malley.

BELKNAP COUNTY: Boutin, Osborne, Simoneau, Tilton of Laconia, Ward 3, O'Shan, Brown of Laconia, Matthews.

CARROLL COUNTY: Downs.

MERRIMACK COUNTY: Moore, Ferrin, Loiselle, Perkins of Concord, O'Neil of Concord, Nawn, DuDevoir, Milligan, Lea, Powell, Chandler.

HILLSBOROUGH COUNTY: Abbott, Kennedy of Manchester, Danforth, Flanders, Geisel, Connor, Dwyer, Sweeney, Fitzgerald, Kean, Nolan, Betley, Ellis, Healy of Manchester, Ward 5, Proulx, Cavanaugh, Clancy, Ecker, Healy of Manchester, Ward 6, Sullivan of Manchester, Constant, Delisle, Kane, Cary, Auger, Getz, Roukey, Lareau, Soucy, Vaillancourt, Daniel, Gauthier, Thibodeau, Cannon, Donnelly, Wedick, Boire, Belcourt, Maynard of Nashua, Ward 3, Brosnahan, Cote, Marquis, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Chartrain, Dupont, Ryan, Grandmaison, Pelletier of Nashua, Ward 8, Bouthillier, Pelletier of Nashua, Ward 9, Hines.

CHESHIRE COUNTY: Burnham, Walker, O'Neil of Keene, Codding, Pickett, Walsh, Sherwin, Worcester, Thompson of Winchester.

SULLIVAN COUNTY: Angus, Nahil, Baron of Claremont, Carton, Bailey, Callum.

GRAFTON COUNTY: Gingras, Harrington, Willey, Avery, Grass, Ashley of Lebanon, Griffin of Lincoln, Gardner, Burrill, Anderson.

COOS COUNTY: Hinchey, Moffett, Shields, Desilets, Henderson of Berlin, Sheridan, Morel, Sullivan of Berlin, Bouchard, LaForce, Roy of Berlin, Rines, Oakes, Fraser, Means, Ellingwood, Stinson.

Nays, 203

ROCKINGHAM COUNTY: Tuttle, Griffin of Auburn, Wastcoat, Hazelton, Darbe, Lindahl, Clark of Derry, Freeman of East Kingston, Eldredge, Kendall, Rathbone of Exeter,

Richards, Lecomte, Putnam, Merrill, Ring, Thurlow, Eastman, Hall of Londonderry, Wells, Carter of No. Hampton, Pinkham, McDaniel, Colcord, Sukeforth, Dame, Bluitte, Haigh, Durkee, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Felker, Crandall, Locke of Dover, Henderson of Durham, Parker, Horne, Smith of New Durham, Dustin, Maxfield, Winters, Studley, Fernald, Leach, Green of Rollinsford, Brown of Strafford.

BELKNAP COUNTY: McAllister, Weeks, Hart of Laconia, Keller, Tilton of Laconia, Ward 4, Smith of Meredith, Atwood, Metcalf.

CARROLL COUNTY: Washburn, Benson, Hill, Morey, Nickerson, Lamprey, Moulton, Knox, Remick, Hodgdon, Sanborn, Hart of Wolfeboro, McHugh.

MERRIMACK COUNTY: Putney, Ellsworth, Vogel, Marden, Dodge, Tebbetts, Blodgett of Concord, Ward 4, Kennedy of Concord, Hurd, Corbett, Saltmarsh, Tilton of Concord, Bunten, Freeman of Concord, Greene of Concord, Blodgett of Concord, Ward 8, Sawyer of Concord, Sargent, Hadley, Towle, Chase of Franklin, Burke, Ayotte, Charland, Mason, Davis of Hopkinton, Lamson, Wilman, Ferguson, Young, Sawyer of Wilmot.

HILLSBOROUGH COUNTY: Holmes, Wilson, French of Bedford, Black, Farwell, Hambleton, Poore, Reed, Doonan, English, Crosby, Sterling, Goodwin, Spaulding of Hudson, Cummings of Lyndeborough, Corliss, Pettigrew, Pillsbury, Martel, Gagnon, Peaslee, Falconer, Nelson, Wadleigh, Cooper, Ramsdell, Underhill, Record, Cormier, Locke of New Boston, Ashley of New Ipswich, Mailloux, Bass, Cummings of Peterborough, French of Weare, Barry.

CHESHIRE COUNTY: Jackson, Miller of Fitzwilliam, Maloney, Rathbun of Harrisville, Perry of Jaffrey, Kirk, Landers, Wheeler, Bennett, Erwin, Turner, Kershaw, Lang, Rhodes, Billings, Ingham of Winchester.

SULLIVAN COUNTY: Bascom, Frizzell, Brooks, Converse, Bissonnett, Millar of Claremont, Marcotte of Claremont, Carter of Cornish, Perry of Newport, Rowell, Vaughan, Pierce, Gamsby.

GRAFTON COUNTY: Chamberlin of Bath, Plumer, Clarke of Canaan, Lorden, Williams, Atkins, Fuller, Holden of Hanover, Chamberlin of Haverhill, McMeekin, Sleeper, Adams, Cole, Jones, Randall, Collins of Lisbon, Kelley, Martin of Littleton, Pushee, Skinner, Howard, Bell, Huckins, Barney, Horner, Woodward, Gilbert, Sawyer of Woodstock.

COOS COUNTY: Brungot, Fontaine, Cummings of Colebrook, Gould, Emerson, Kimball, Simonds, Christopher, Hilliard, Placy, Taylor.

And the motion to substitute the words, ought to pass, for the resolution of the committee, inexpedient to legislate, did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

Mr. Lea of Pembroke moved that House Joint Resolution No. 10 be laid upon the table.

On a *viva voce* vote the motion to lay House Joint Resolution No. 10 on the table did not prevail.

The question being on the resolution of the committee. inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Reconsideration

Mr. Sanborn of Wakefield moved that the House reconsider the vote whereby it adopted the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the motion to reconsider did not prevail.

Mr. Brosnahan of Nashua, for the Committee on Labor, to whom was referred House Bill No. 407, An act relative to unemployment compensation and dealing with merit rating and the collection of overpayments in fraud cases involving other states, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Kennedy of Manchester, for the Committee on Labor, to whom was referred House Bill No. 411, An act relating to

inspectors in the department of labor, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Durell of Portsmouth, for the Committee on Public Works, to whom was referred House Bill No. 122, An act relative to establishment of true meridan lines for use by land surveyors, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1. *Commissioner of Public Works and Highways.* Amend chapter 269 of the Revised Laws by inserting after section 29 the following new subdivision:

Permanent Magnetic Stations and True Meridian Lines.

29-a. *Established.* For the purpose of providing accuracy in land surveys, the commissioner of public works and highways shall be charged with the responsibility of cooperating with any agencies of the federal government engaged in studies of the earth's magnetism to the end of establishing true meridian lines at one or more suitable places in each county, and shall maintain in his office a list of all magnetic stations and true meridian lines established by such agencies in New Hampshire and shall furnish a copy of such list upon request.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An act relative to permanent magnetic stations and true meridian lines.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Perry of Newport, for the Committee on Public Works, to whom was referred House Bill No. 412, An act naming the Rogers Rangers Memorial Bridge, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by adding at the end thereof the following: and the new bridge recently erected in the town of Bradford across the Warner river on route 114 shall here-

after be called and known as The Mason Weare Tappan Memorial Bridge, so that said section as amended shall read as follows:

1. *Name Given.* The new bridge recently erected across the Connecticut river between the town of Lancaster, New Hampshire and Guildhall, Vermont shall hereafter be called and known as The Rogers Rangers Memorial Bridge and the new bridge recently erected in the town of Bradford across the Warner river on route 114 shall hereafter be called and known as The Mason Weare Tappan Memorial Bridge.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An act naming certain bridges in Lancaster and Bradford.

The report was accepted, the resolution adopted, and the bill ordered to a third reading.

Taken from Table

Mr. Cater of Somersworth, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 285, An act to regulate the practice of professional engineering, reported the same with the amendment as printed in the Journal of April 26, 1951, and the recommendation that the bill as amended ought to pass.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Cater of Somersworth, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 194, An act relative to qualifications for the practice of public accounting, reported the same with the amendment as printed in the Journal of April 26, 1951, and the recommendation that the bill as amended ought to pass.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Committee Report

Mr. Sawyer of Concord, for the Committee on Judiciary, to whom was referred House Bill No. 52, An act to corporate Avon University, reported the same with the following amend-

ment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out all after the word "purposes" in line 25 and inserting in place thereof the words, and may confer upon its graduates such degrees and honors as the state board of education may determine are commensurate with its academic and scholastic standards, so that said section as amended shall read as follows:

1. *Avon University.* Malcolm S. Steele, Andrew D. Fuller, Sr., Andrew D. Fuller, Jr., L. Thurston Willis, William A. Joyce, Houghton E. Sanguinetti, their associates and successors, are hereby created a body politic and corporate by the name of Avon University for educational purposes and integration and advancement of research and knowledge; and by that same name may sue and be sued, prosecute and defend to final judgment and execution, and shall be and hereby are invested with all the powers and privileges, and made subject to all the liabilities of corporations of a similar nature; and may take and hold real and personal estate by purchase, devise, donation, payment or otherwise, for the purpose of said corporation, and at the pleasure may sell, convey, use, enjoy and dispose of the same; shall be entitled to the same tax exemption upon its real and personal estate as is granted to corporations of a similar nature by general laws; may have a common seal and shall change the same at pleasure; may make such by-laws for the government of the corporation and election, admission and expulsion of members and associates therefor as they shall deem necessary and proper, said by-laws not being inconsistent with the laws of this state or nation; and upon any member or associate refusing to conform to the by-laws so made, such person shall cease to be a member of said body politic; and said corporation may establish in the town of Dunbarton, County of Merrimack, in the State of New Hampshire, or elsewhere, a college for the higher education of men and women to be called Avon University, may maintain, create, and supervise a college research and advance study, and other colleges or institutions, to carry forward its purposes; and may confer upon its graduates such degrees and honors as the state board of education may determine are commensurate with its academic and scholastic standards.

The undersigned, a minority of the Committee on Judi-

ciary, to whom was referred House Bill No. 52, An act to corporate Avon University, and being unable to agree with the majority, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

GARDNER C. TURNER,
A Minority of the Committee.

The reports were accepted.

Mr. Turner moved that the report of the minority, inexpedient to legislate, be substituted for the report of the majority, ought to pass with amendment.

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Turner and Pickett of Keene, Vaughn of Newport and Carter of Cornish, spoke in favor of the motion.

Messrs. Perkins of Concord, Jones of Lebanon, Maxwell of Henniker and Mrs. Studley of Rochester, spoke against the motion.

Mr. Geisel of Manchester moved that the bill be recommitted to the Committee on Judiciary.

The question being on the motion to recommit.

(Discussion ensued)

Messrs. Turner and Pickett of Keene spoke against the motion.

Mr. Spaulding of Hudson moved that the bill be laid upon the table.

On a *viva voce* vote the motion to lay the bill on the table did not prevail.

The question being on the motion to recommit the bill.

On a *viva voce* vote the motion to recommit did not prevail.

The question being on the motion to substitute the report of the minority, inexpedient to legislate for the report of the majority, ought to pass with amendment.

On a *viva voce* vote the motion prevailed.

Reconsideration

Mr. Turner of Keene moved that the vote whereby the House adopted the minority report, inexpedient to legislate,

for the report of the majority, ought to pass with amendment, be reconsidered.

On a *viva voce* vote the motion to reconsider did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Special Order

Mr. English of Hancock called for the special order.

It being House Bill No. 399, An act relating to moderators of school districts.

The question being on the resolution of the committee, inexpedient to legislate.

Mr. English of Hancock moved that the words, ought to pass, be substituted for the resolution of the committee, inexpedient to legislate.

(Discussion ensusd)

Messrs. English of Hancock and French of Bedford, and Mrs. Frizzell of Charlestown, spoke in favor of the motion.

Messrs. Green of Rollinsford and Cummings of Lyndeboro, spoke against the motion.

On a *viva voce* vote the motion to substitute the words, ought to pass, for the resolution of the committee, inexpedient to legislate, did not prevail.

Mr. Bass of Peterborough asked for a division.

A division being had, 85 members having voted in the affirmative, and 215 members having voted in the negative, the motion to substitute did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Reconsideration

Mr. Green of Rollinsford moved that the vote be reconsidered whereby it adopted the resolution of the committee. inexpedient to legislate.

On a *viva voce* vote the motion to reconsider did not prevail.

Mr. English of Hancock called for the special order.

It being House Bill No. 358, An act relative to town moderators.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution of the committee, inexpedient to legislate, was adopted.

Mr. Green of Rollinsford moved that the vote be reconsidered whereby it adopted the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the motion to reconsider did not prevail.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of Representatives in the passage of the following joint resolution, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Joint Resolution No. 22, Joint resolution for a strengthened United Nations.

Whereas our Governor, Sherman Adams, has said in his inaugural address in 1951: "If there is anything worth thinking about in these times it is how we are going to survive, keep our freedom, and our solvency," and whereas:

1. Communist schemes for a universal totalitarian order, directed from Moscow, have brought us to the brink of a third world war;

2. Russia's purpose is to disrupt the United Nations, to divide us from our natural allies, and then to destroy this nation — a symbol of free people living at peace under a government of their own creation;

3. Despite the initiative of the State of New Hampshire in preparing for civil defense, the national programs for civil and military defense have not equalled the danger;

4. Even with a maximum defense effort the United States cannot feed, rebuild, and police the world without "spending itself into destruction";

5. Until we have established an adequate basis for world peace, wars will continue to waste our resources and to destroy life, liberty, and happiness:

And Whereas the 1951 General Court does not concur with the sentiments of the 1945 General Court as expressed in Chapter 217 of the Laws of 1945 or with the sentiments of the 1949 General Court as expressed in Chapter 331 of the Laws of 1949, relative to world federation and world government and desire to express our own sentiments: now therefore be it

Resolved by the Senate and House of Representatives in General Court Convened:

That in order to provide for the common defense, and to secure the blessings of liberty for ourselves and our posterity, our representatives in the National Congress be and hereby are requested to urge the President and Congress forthwith:

I. To speed the programs for rearmament and civil defense.

I. To join with other peace-loving peoples in creating, by Charter amendment, a more perfect United Nations, strong enough to maintain international peace and security, but not violating the basic freedoms guaranteed the American people by the Constitution of the United States;

Be It Further Resolved, That the secretary of state is hereby directed to send a copy of this resolution to members of the Congress, to the Secretary of State, and the President of the United States.

The question being on the amendment.

Mrs. Morey of Hart's Location moved that the House concur.

The question being on the motion to concur.

(Discussion ensued)

Mrs. Morey of Hart's Location spoke in favor of the motion.

Mr. Bass of Peterborough spoke against the motion.

Mrs. Morey of Hart's Location withdrew the motion to concur.

Mr. Sanborn of Wakefield moved that the House non-

concur in the amendment sent down from the Senate and a Committee of Conference be appointed.

The question being on the motion.

(Discussion ensued)

Messrs. Sanborn of Wakefield and Turner of Keene spoke in favor of the motion.

On a *viva voce* vote the motion prevailed, and the Speaker appointed as members on such a committee, on the part of the House, Mrs. Morey of Hart's Location and Messrs. Bass of Peterborough and Sawyer of Concord.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills to the following House bill, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 183, An act relative to manner of taking deer in certain towns.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relative to manner of taking deer in certain towns.

Amend section 1 of said bill by striking out the sixth, seventh and eighth lines and inserting in place thereof the following:

4. *Shotguns.* Wild deer shall not be taken by the use of any firearms, other than a shotgun loaded with a single ball or loose buckshot, or bow or arrow, in the towns of the following counties as follows:

On motion of Mr. Washburn of Bartlett the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 389, An act relative to the purchase of insurance for the forestry and recreation commission building at Franconia Notch, New Hampshire.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 47, An act relative to registration and operation of motor vehicles by persons entering the military services of the United States for national defense and powers of the commissioner of motor vehicles.

House Bill No. 173, An act relative to licenses of bonded warehouses.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 72, An act relative to town and city health officers.

Senate Bill Read and Referred

Senate Bill No. 72, An act relative to town and city health officers.

Read a first and second time, and referred to the committee on Public Health.

Resolution

Messrs. Geisel and Sullivan of Manchester offered the following resolution:

Whereas, we have learned of the death of Mrs. Patrick H. Sullivan of Manchester, mother of former Secretary of the Navy, John L. Sullivan and sister of former State Senator, William F. Harrington, therefore be it

Resolved, That we, the members of the House of Representatives of the New Hampshire State Legislature, hereby extend our deepest sympathy to the family in its bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Mr. Sullivan.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford, the rules were suspended, business in order at 3:00 o'clock was made in order at the present time, and the third reading of bills were read by their titles.

Third Readings

House Bill No. 122, An act relative to permanent magnetic stations and true meridian lines.

House Bill No. 194, An act relative to examination for public accounting.

House Bill No. 285, An act to regulate the practice of professional engineering.

House Bill No. 407, An act relative to unemployment compensation and dealing with merit rating and the collection of overpayments in fraud cases involving other states.

House Bill No. 412, An act naming certain bridges in Lancaster and Bradford.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of the Carter of No. Hampton at 1:57 o'clock the House adjourned.

THURSDAY, MAY 3, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

Our Father, and Creator of all souls, help us to realize that Thou hast planted the possibility of heroism in every human breast. Preserve us, we beseech Thee, from finding our entire satisfaction in looking back to the battlefields of yesteryears and to the martyr-stakes for our heroism. Remind us that bravery can, and often should, glorify the daily duties of life. We thank Thee, our God, for the paths that heroic men and women have opened for us, embue us with a generous spirit of courage and bravery that we may keep these paths free of obstructions, and thus preserve our democracy, that has been bought for us by heroic men and women of other days. We ask it in the name of Christ. Amen.

Leaves of Absence

Messrs. Holden of Newington, Lamson of New London, Perkins of Alton, Hambleton of Goffstown, Brunel of Con-

cord and Smith of Loudon were granted leaves of absence for the day on account of important business.

Mr. Cummings of Peterborough was granted leave of absence from May 15 to May 22 on account of important business.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Committee on Rules, House Bill No. 422, An act legalizing the annual meeting in the town of Mason. Referred to the Committee on Municipal and County Government.

By Committee on Rules, House Bill No. 423, An act relative to subversive activities. Referred to the Committee on Judiciary.

By Committee on Rules, House Bill No. 424, An act relative to parole of prisoners. Referred to the Committee on Judiciary.

By Committee on Rules, House Bill No. 425, An act relative to liability under insurance policies issued to the state and municipal subdivisions thereof. Referred to the Committee on Executive Departments and Administration.

By Committee on Rules, House Bill No. 426, An act relating to the taxation of municipal airports and other aeronautical facilities. Referred to the Committee on Aviation.

By Committee on Rules, House Bill No. 427, An act relative to use of coupons attached to hunting licenses. Referred to the Committee on Fish and Game.

Printing Dispensed With

On motion of Mr. Doonan of Greenville the rules were suspended and the printing of House Bill No. 422 was dispensed with.

Resolution

Mr. Bass of Peterborough offered the following resolution:

Resolved, That the Justices of the Supreme Court be respectfully requested their opinion on the following questions of law with reference to House Bill No. 418, An act repeal-

ing certain taxes and providing additional revenue for the state, including a retail sales tax:

1. Do the classifications of property to be taxed or exempted from taxation as personal estate under sections 2 through 5 of the bill violate any of the provisions of the fundamental law of this state?

2. If the classification of finished goods as defined in section 2 of the bill violates the fundamental law, may the Legislature constitutionally define and exempt finished goods as "any item which has been completely processed and which will be sold in retail trade"?

3. Do the classifications contained in sections 1, 2 and 3 of the sales tax chapter proposed by section 6 of the bill violate any of the provisions of the fundamental law of this state?

4. Does any other provision of the said bill appear to be in conflict with the Constitution?

Further Resolved, That the Speaker transmit a copy of this resolution and of House Bill No. 418 to the Clerk of the Supreme Court for consideration by said Court.

The question being on the resolution offered by Mr. Bass.

(Discussion ensued)

Mr. Bass of Peterborough spoke in favor of the amendment.

Mr. Turner of Keene offered the following amendment to the resolution.

Strike out all after the word resolved and substitute the following:

Resolved, That the Justices of the Supreme Court be respectfully requested to give their opinion upon the following questions of law:

1. Do the provisions of House Bill No. 418, An act repealing certain taxes and providing for additional revenue of the State, including a retail sales tax, violate in any way the provisions of the fundamental law of the State with respect to the following:

(a) The provisions of Section 2 of said bill by which the tax on stock in trade and the tax on live stock are repealed, and a tax imposed on raw materials and goods in process.

(b) The provisions contained in said Section 2 by which

the State Tax Commission shall have the final determination of what constitutes finished products.

(c) Those provisions of Section 6 of said bill contained in Sections 34, 35, and 36 of the proposed Chapter 79B of the Revised Laws, whereby certain funds would be distributed to towns and cities in 1952 and subsequent years according to taxes levied in 1950 by each town or city on manufacturers' finished goods, merchants' stock in trade and live stock, and particularly whether it is constitutional to provide for such distribution in future years when such distribution may have no relation to the amount which each town or city would have levied on said items in the year of distribution.

(d) Those provisions of said Section 6 contained in Section 4 of the said proposed Chapter 79B relating to the retention of breakage, with particular reference to the fact that the breakage would have no rational relation to the amount of services performed by the retailer. Nor is there any rational relationship between the formula for levy on the consumer taxpayer and the formula for making returns by the retailer collector of the tax.

(e) Those provisions of said Section 6, contained in Section 2 of said proposed Chapter 79B, where a tax is imposed on beverages as defined in Chapter 170 of the Revised Laws as amended, except when consumed on the premises.

2. Does any other provision of the said bill appear to be in conflict with the Constitution, or the Constitution of the United States.

Further Resolved, That the Speaker of the House transmit a copy of this resolution and of House Bill No. 418 to the Clerk of the Supreme Court for consideration by said Court.

The question being on the amendment to the resolution.

(Discussion ensued)

Mr. Turner of Keene spoke in favor of the amendment.

Mr. Bass of Peterborough and Sanborn of Wakefield, spoke against the amendment.

Mr. Turner of Keene moved the previous question.

The question being, Shall the main question now be put?

Mr. Turner of Keene was requested to temporarily withdraw his motion for the previous question.

Mr. Turner refused to withdraw his motion.

Mr. Pillsbury of Manchester asked for a division but withdrew his request.

Mr. Turner of Keene asked for a division.

A division being had, 181 members having voted in the affirmative, and 105 members having voted in the negative, the previous question was ordered.

The question being on the amendment to the resolution.

On a *viva voce* vote the Chair was in doubt.

Mr. Chandler of Warner asked for a division.

A division being had, 194 members having voted in the affirmative, and 127 members having voted in the negative, the amendment to the resolution was adopted.

The question being on the resolution as amended.

Mr. Pillsbury of Manchester offered the following amendment to the resolution:

Amend the resolution by adding at the end thereof the following:

Further Resolved, That the Justices of the Supreme Court be respectfully requested their opinion on the following questions of law with reference to House Bill No. 418, An act repealing certain taxes and providing additional revenue for the State, including a retail sales tax:

1. Do the classifications of property to be taxed or exempted from taxation as personal estate under Sections 2 through 5 of the bill violate any of the provisions of the fundamental law of this State?

2. If the classification of finished goods as defined in Section 2 of the bill violates the fundamental law, may the Legislature constitutionally define and exempt finished goods as "any item which has been completely processed and which will be sold in retail trade"?

3. Do the classifications contained in Sections 1, 2 and 3 of the sales tax chapter proposed by Section 6 of the bill violate any of the provisions of the fundamental law of this State?

4. Does any other provision of the said bill appear to be in conflict with the Constitution?

Further Resolved, That the Speaker transmit a copy of this resolution and of House Bill No. 418 to the Clerk of the Supreme Court for consideration by said Court.

The question being on the amendment offered by Mr. Pillsbury.

(Discussion ensued)

Messrs. Pillsbury of Manchester and Jones of Lebanon spoke in favor of the amendment.

Mr. O'Shan of Laconia moved that the resolution be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Messrs. Turner of Keene, Perkins of Concord, Pickett of Keene, Wadleigh of Milford, Sanborn of Wakefield and Corbett of Concord, spoke against the motion.

On a *viva voce* vote the motion to indefinitely postpone did not prevail.

The question being on the amendment offered by Mr. Pillsbury of Manchester.

Mr. Corbett of Concord moved that the resolution be laid upon the table and be made a special order for Tuesday, May 8, at 11:01 o'clock.

The question being on the motion for a special order.

(Discussion ensued)

Mr. Nelson of Milford spoke against the motion.

Mr. Lea of Pembroke moved the previous question.

The question being: Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion for a special order.

On a *viva voce* vote the motion for a special order did not prevail.

The question being on the amendment offered by Mr. Pillsbury of Manchester.

(Discussion ensued)

Messrs. Bass of Peterborough, Sanborn of Wakefield and Turner of Keene spoke in favor of the amendment.

On a *viva voce* vote the amendment offered by Mr. Pillsbury was adopted.

The question being on the resolution as amended.

On a *viva voce* vote the resolution as amended was adopted.

Reconsideration

Mr. Moore of Bradford moved that the House reconsider the vote whereby it adopted the resolution as amended.

On a *viva voce* vote the motion to reconsider did not prevail.

Engrossed Bills Report

Mrs. Landers of Keene, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 47, An act relative to registration and operation of motor vehicles by persons entering the military service of the United States for national defense and powers of the commissioner of motor vehicles.

House Bill No. 173, An act relative to licenses of bonded warehouses.

House Bill No. 389, An act relative to the purchase of insurance for the forestry and recreation commission building at Franconia Notch, New Hampshire.

The report was accepted.

Committee Reports

Mr. Matthews of New Hampton, for the Committee on Judiciary, to whom was referred Senate Bill No. 29, An act relative to investment of funds received from the United States, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Studley of Rochester, for the Committee on Judiciary, to whom was referred Senate Bill No. 31, An act providing for recording of internal revenue tax liens, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Cooper of Nashua, for the Committee on Judiciary, to whom was referred House Bill No. 341, An act relative to

trusts created in writing, reported the same with the following resolution.

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Pickett of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 409, An act relative to settlement of insolvent estates without a commission, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Jones of Lebanon, for the Committee on Judiciary, to whom was referred concurrent resolution memoralizing the congress of the United States to proceed to the removal of Dean Acheson as Secretary of State, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Chandler of Warner moved that the words, ought to pass, be substituted for the resolution of the committee, inexpedient to legislate.

The question being on the motion to substitute.

(Discussion ensued)

Mr. Chandler of Warner spoke in favor of the motion.

Mr. Carter of Cornish spoke against the motion.

Mr. Carter of Cornish moved that the concurrent resolution be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Messrs. Sanborn of Wakefield and Lea of Pembroke, and Mrs. Atkins of Hanover spoke in favor of the motion.

Mr. Ecker of Manchester moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the motion to indefinitely postpone prevailed.

Mr. Angus of Claremont, for the Committee on Labor, to whom was referred House Bill No. 191, An act relating to hours of work, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 37 of chapter 212 of the Revised Laws as amended by section 1 of the bill by striking out in the first four lines the words "Every employer of labor engaged in carrying on any kind of business in the state, shall allow every person, except those specified in section 39 employed in such business at least twenty-four consecutive hours of rest in every seven consecutive days" so that said section as amended shall read as follows:

37. *Day of Rest.* No employer shall operate any such business on Sunday unless he has posted in a conspicuous place on the premises a schedule containing a list of employees who are required or allowed to work on Sunday and designating the day of rest for each, and shall promptly file a copy of such schedule and every change therein with the commissioner of labor. No employee shall be required or allowed to work on the day of rest designated for him. Whoever violates this section shall be fined fifty dollars.

Amend section 39 of said chapter 212 as amended by section 1 of the bill by adding two new paragraphs as follows:

VII. Employees engaged in any work connected with the theatre, motion picture houses, hotels and restaurants.

VIII. Employees of telegraph and telephone offices.

Further amend the bill by adding a new section as follows:

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted.

The bill with the amendment pending was laid upon the table, under Rule No. 48, to be printed and to be taken up Wednesday, May 9.

Mr. Merrill of Hampton, for the Special Committee consisting of the members from the county of Rockingham, to whom was referred House Bill No. 381, An act relative to election of county commissioners in the county of Rockingham, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Recalled from the Governor

On motion of Mr. Janelle of Nashua, Senate Bill No. 41, An act relative to clerk hire in the office of the Hillsborough County Sheriff, was recalled from the Governor.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolutions:

Whereas, Wednesday, May 30th, is Memorial Day, a legal holiday, therefore be it

Resolved, by the House of Representatives, the Senate concurring, That the working days of the General Court for that week shall be Monday and Tuesday, May 28th and May 29th.

Whereas, it has been established by precedent and custom that the General Court invite as its guest at a session following his inaugural, a new President of the University of New Hampshire, and

Whereas, on April 25, 1951, Dr. Robert F. Chandler was inaugurated as the twelfth President of the University of New Hampshire, therefore be it

Resolved, by the House of Representatives, the Senate concurring, That the General Court invite Dr. Robert F. Chandler, President of the University of New Hampshire, to address the Joint Convention on Wednesday, May 9.

The message also announced that the Senate had voted to accede to the request of the House of Representatives for the recall of House Bill No. 346, An act relating to the general exemption from property taxes of certain privately owned airports.

The question being: Shall the bill pass?

Mr. Hill of Conway moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Mr. Hill of Conway spoke in favor of the motion.

Messrs. Brown of Laconia and Hines of Windsor spoke against the motion.

On a *viva voce* vote the motion prevailed.

Mr. Betley of Manchester asked for a division.

A division being had, 213 members having voted in the affirmative and 86 members having voted in the negative, the motion to indefinitely postpone prevailed.

On motion of Mr. Wadleigh of Milford the rules were suspended, business in order at 3:00 o'clock was made in order at the present time and the third reading of bills were read by their titles only.

Third Readings

House Bill No. 409, An act relative to settlement of insolvent estates without a commission.

Read a third time and passed, and sent to Senate for concurrence.

Senate Bill No. 29, An act relative to investment of funds received from the United States.

Senate Bill No. 31, An act providing for recording of internal revenue tax liens.

Severally read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Record of Nashua at 12:58 o'clock the House adjourned.

TUESDAY, MAY 8, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O Gracious God, may the earnest and faithful work of this General Court be understood and appreciated by all the people of this Commonwealth. May the wishes and criticisms so often expressed by those who represent our constituency come from unbiased, thoughtful and tolerant minds. Remind us always that a great host of sincere men and women rely upon

our judgment; make us worthy of their confidence, and fit custodians of the trust they bestow upon us. Give, O God, to each member of this legislative body, vigor, patience, and wisdom in the fulfilment of his or her duty. In the name of Christ. Amen.

Leaves of Absence

Messrs. Brunel of Concord and Geisel of Manchester were granted leaves of absence for the day on account of important business.

Messrs. Letourneau of Somersworth and Dame of Portsmouth were granted leaves of absence for the week on account of illness.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules, House Bill No. 428, An act relative to the approval of bonds and sureties. Referred to the Committee on Executive Departments and Administration.

By the Committee on Rules, House Bill No. 429, An act imposing taxes on meals, bottled soft drinks and admissions. Referred to the Committee on Ways and Means.

Committee Reports

Mr. Pickett of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 90, An act to amend the unified personnel system for the state, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Duties of Director.* Amend the Revised Laws, part XI of section 10 of chapter 27B as inserted by chapter 9 of the Laws of 1950, by striking out said part and inserting in place thereof the following:

XI. To consult with three classified employees, one of whom shall be designated by the American Federation of state, county and municipal employees affiliated with the American Federation of Labor, two classified employees who shall be

designated by the state employees association, before submission of the code of rules for the classified service and at other times to foster and develop programs for improvement of personnel standards.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Tilton of Ward 4, Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 34, An act relative to licenses of itinerant vendors, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Sawyer of Concord, for the Committee on Judiciary, to whom was referred House Bill No. 371, An act relative to the bonding of officials of the University of New Hampshire, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mrs. Brungot of Berlin, for the Committee on Judiciary, to whom was referred House Bill No. 380, An act relative to notification of so-called write-in candidates at the state primary, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out sections 2 and 3 and inserting in place thereof the following:

2. *Duties of Secretary of State.* Amend section 49 of chapter 33 of the Revised Laws, as amended by section 1, chapter 71, Laws of 1947, by striking out said section and inserting in place thereof the following: 49. *Personal Notice; Major Candidates.* In addition to publication as required by section 48, the secretary of state shall notify in writing each person of his nomination as a candidate for an office to be voted for in more than one town or ward, if such person did not file a declaration of candidacy or primary petition for such major office with the secretary of state. A person so notified shall advise the secretary of state, in writing, if he wishes to accept such nomination. If such acceptance of nomination is

not received by the secretary of state within six days from the date of the publication of the notice as provided in section 48, the person shall be deemed to have refused such nomination and his name shall not appear on the official ballot as a candidate for said office.

3. *Town and Ward Offices.* Amend chapter 33 of the Revised Laws by inserting after section 49, as hereinbefore amended, the following new section: 49-a. *Notice to Candidates.* Upon receipt of the copy of the publication provided for in section 48 each town or city clerk shall forthwith notify in writing any person in the respective town or city who received a nomination for any town or ward office for which he did not file a declaration of candidacy or primary petition with said clerk. A person so notified shall advise the secretary of state, in writing, if he wishes to accept such nomination. If such acceptance of nomination is not received by the secretary of state within six days from the date of the publication of the notice as provided in section 48, the person shall be deemed to have refused such nomination and his name shall not appear on the official ballot as a candidate for said office.

The report was accepted.

The bill, with the amendment pending, was laid upon the table to be printed, under Rule No. 48, to be taken up Thursday, May 10.

Mr. Turner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 241, An act relative to so-called write-in political candidates, having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by House Bill No. 380.

The report was accepted.

Mr. Perkins of Concord moved that House Bill No. 241 be laid upon the table and made a special order for 11:01 o'clock, May 10.

The question being on the motion for a special order.

(Discussion ensued)

Mr. Perkins of Concord spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mrs. Miller of Fitzwilliam, for the Committee on Transportation, to whom was referred Senate Bill No. 44, An act

regulating school buses, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Miller of Fitzwilliam, for the Committee on Transportation, to whom was referred Senate Bill No. 56, An act relative to motor vehicles owned by totally blind service connected veterans, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 265, An act relating to the reciprocal enforcement of support.

Amend section 3 of the bill by striking out in line 2 of the section the word "herein."

Further amend said section by adding after the word "provided" in line 2 the words, in part III hereof, so that said section as amended shall read as follows: 3. *Remedies Additional to Those now Existing.* The remedies provided in part III hereof are in addition to and not in substitution for any other remedies.

Amend section 5 by inserting before the word "the" in line 1 the words, in any case wherein the obligee has previously initiated appropriate civil procedures which are still pending in this state or any other state of the United States to compel the rendition of support alleged to be due, so that said section as amended shall read as follows: 5. *Interstate Rendition.* In any case wherein the obligee has previously initiated appropriate civil procedures which are still pending in this state or any other state of the United States to compel the rendition of support alleged to be due, the Governor of this state (1) may demand from the governor of any other state the surrender of any person found in other such state who is charged in this state with the crime of failing to pro-

vide for the support of any person in this state and (2) may surrender on demand by the governor of any other state any person found in this state who is charged in such other state with the crime of failing to provide for the support of a person in such other state. The provision for extradition of criminals not inconsistent herewith shall apply to any such demand although the person whose surrender is demanded was not in the demanding state at the time of the commission of the crime and although he had not fled therefrom. Neither the demand, the oath nor any proceeding for extradition pursuant to this section need state or show that the person whose surrender is demanded has fled from justice, or at the time of the commission of the crime was in the demanding or the other state.

Amend section 6 of the bill by adding after the word "support" in line 4 the words, or who responds to and complies with any lawful order of the Superior Court of this state made in any proceedings brought under part III of this act, so that said section as amended shall read as follows: 6. *Relief From the Above Provisions.* Any obligor contemplated by section 5, who submits to the jurisdiction of the court of such other state and complies with the court's order of support, or who responds to and complies with any lawful order of the Superior Court of this state made in any proceedings brought under part III of this act, shall be relieved of extradition for desertion or non-support entered in the courts of this state during the period of such compliance.

Amend section 8 of the bill by adding after the word "made" in line 6 the words, by invoking the provisions of part III of this act, so that said section as amended shall read as follows: 8. *Remedies of a State or Political Subdivision Thereof Furnishing Support.* Whenever the state or a political subdivision thereof has furnished support to an obligee it shall have the same right to invoke the provisions hereof as the obligee to whom the support was furnished for the purpose of securing reimbursement of expenditures so made by invoking the provisions of part III of this act.

Amend section 19 of the bill by striking out the entire section and substituting in place thereof the following: 19. *Evidence.* The rules of evidence applicable to marital proceedings generally shall be applicable to proceedings under part III of this act.

Mrs. Goodwin of Hollis moved that the House non concur in the amendment sent down from the Honorable Senate, and asked that a Committee of Conference be appointed.

The question being on the motion to non concur.

(Discussion ensued)

Mr. Perkins of Concord spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

The Speaker appointed as members on such committee on the part of the House, Mr. Perkins of Concord, Mrs. Goodwin of Hollis, and Mr. Barry of Wilton.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 225, An act relating to obscene literature, pictures and articles.

House Bill No. 294, An act relative to the military rank of the adjutant-general.

House Bill No. 325, An act approving the act of the Governor in signing the Interstate Compact for Civil Defense.

The message further announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Joint Resolution No. 22, Joint resolution for a strengthened United Nations, and the president appointed as members of such committee on the part of the Senate, Senators Loizeaux and O'Malley.

The message further announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 78, An act relating to a committee to make rules and forms of the probate courts.

Senate Bill No. 79, An act abolishing trial justice courts.

Senate Bills Read and Referred

Senate Bill No. 78, An act relating to a committee to make rules and forms of the probate courts.

Senate Bill No. 79, An act abolishing trial justice courts.

Severally read a first and second time, and referred to the Committee on Judiciary.

The message also announced that the Senate had passed the following joint resolution, in the passage of which it asked the concurrence of the House of Representatives:

Senate Joint Resolution No. 5, Joint resolution in favor of William Gauley.

Senate Joint Resolution Read and Referred

Senate Joint Resolution No. 5, Joint resolution in favor of William Gauley.

Read a first and second time, and referred to the Committee on Appropriations.

On motion of Mr. Wadleigh of Milford, the rules were suspended, and business in order at 3:00 o'clock was made in order at the present time, and the third reading of bills were read by their titles only.

Third Readings

House Bill No. 90, An act to amend the unified personnel system for the state.

House Bill No. 371, An act relative to the bonding of officials of the University of New Hampshire.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 44, An act regulating school buses.

Senate Bill No. 56, An act relative to motor vehicles owned by totally blind service connected veterans.

Severally read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mr. Barry of Wilton at 11:35 o'clock the House adjourned.

WEDNESDAY, MAY 9, 1951

The House met according to adjournment.

Joint Convention

Prayer was offered by Herbert J. Foote of Enfield.

Almighty and ever-living God, the source of all being and life, whose mercies are immeasurable, and whose goodness is eternal, we thank Thee for this new day, which is a door through which we may enter upon these high and holy tasks, which Thou hast placed upon our hearts, and hast given us the power to perform.

Send Thy richest blessing upon all who are in positions of responsibility within our own Commonwealth, and also throughout our own beloved country, that we may be motivated by high ideals, that religion may burn brightly on the altars of our hearts, and that vision without which the people perish, may be kept alive in our midst.

Be with our young men who are fighting and dying upon foreign shores, that Democracy may shine forth as a great beacon to free men everywhere, we ask it all in the name of Jesus Christ, our Lord. Amen.

Pursuant to a concurrent resolution adopted on May 1, both branches being in joint convention, Dr. Robert F. Chandler, President of the University of New Hampshire, addressed the convention.

On motion of Senator Darling of District No. 10, the convention rose.

House

Leaves of Absence

Messrs. Lamson of New London, Chase of Dover and Reed of Goffstown, were granted leaves of absence for the day on account of important business.

Mr. Mailloux of Pelham was granted leave of absence for the day on account of illness.

Committee Reports

Mr. Tilton of Ward 4, Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 413, An act

conferring jurisdiction upon the Superior Court of actions founded on express or implied contract, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Perkins of Concord, for the Committee on Judiciary, to whom was referred House Joint Resolution No. 37, Joint resolution for an investigation by judicial council into the payment of costs arising in certain criminal prosecutions, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted, and the joint resolution ordered to a third reading.

Mr. Matthews of New Hampton, for the Committee on Judiciary, to whom was referred Senate Bill No. 19, An act relating to duties of the director of accounts, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. Amend Subsection VII of section 12 of chapter 23-A of the Revised Laws as enacted by section 1 of Part 6 of Chapter 5 of Laws of 1950, by striking out said subsection and inserting in place thereof the following:

VII. Pre-audit all claims to be presented for the issuance of warrants and certify to the governor and council that such are just and proper claims against the state and within the appropriations provided by statute; before such certification for payment the director of accounts shall require documentary evidence of the debt in a form sufficient to show that the agency or individuals responsible for contracting the debt (a) had the authority for so doing, (b) had knowledge of the amounts due, except that payments for payroll may be certified for one payroll period in advance, (c) possessed the authority for the approval of the invoice, and (d) in regard to payments for capital improvements had knowledge of the work actually completed;

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Sawyer of Concord, for the Committee on Judiciary, to whom was referred House Bill No. 224, An act relating to probation officers, reported the same with the recommendation that the bill ought to pass.

The undersigned, a minority of the Committee on Judiciary, to whom was referred House Bill No. 224, An act relating to probation officers, and being unable to agree with the majority, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

ROBERT P. TILTON,
A Minority of the Committee.

The reports were accepted.

Mr. Tilton of Ward 4, Laconia, moved that the report of the minority, inexpedient to legislate, be substituted for the report of the majority, ought to pass.

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Tilton of Ward 4, Laconia, Martel of Manchester, Pickett of Keene and Sanborn of Wakefield, spoke in favor of the motion.

Messrs. Sawyer and Perkins of Concord, spoke against the motion.

Mr. Spaulding of Hudson moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Mr. Spaulding of Hudson spoke in favor of the motion.

Mr. Charland of Franklin spoke against the motion.

Mr. Barry of Wilton moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the Chair was in doubt.

Mr. Martel of Manchester asked for a division.

A division being had, 217 members having voted in the affirmative, and 94 members having voted in the negative, the bill was indefinitely postponed.

Mr. Foote of Portsmouth, for the Committee on Liquor Laws, to whom was referred House Bill No. 220, An act relative to the sale of liquors, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Pillsbury of Manchester moved that the words, ought to pass, be substituted for the resolution of the committee, inexpedient to legislate.

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Pillsbury of Manchester, Foote of Portsmouth and Tilton of Concord, spoke in favor of the motion.

Messrs. Kearns and Betley of Manchester, and Brown of Laconia, spoke against the motion.

Mr. Kearns of Manchester moved that the bill be laid upon the table.

On a *viva voce* vote the motion to lay the bill on the table did not prevail.

Mr. Means of Milan moved that the bill be indefinitely postponed.

On a *viva voce* vote the Chair was in doubt.

Mr. Foote of Portsmouth asked for a division.

A division being had, 172 members having voted in the affirmative, and 160 members having voted in the negative, the motion to indefinitely postpone prevailed.

Mr. Charland of Franklin demanded the Yeas and Nays, and the roll was called with the following result:

Yeas, 161

MERRIMACK COUNTY: Dodge, Ferrin, Loiselle, Corbett, O'Neil of Concord, Bunten, Blodgett of Concord, Ward 8, Towle, Chase of Franklin, Burke, Ayotte, Mason, Beale, DuDevoir, Lea, Powell, Chandler, Sawyer of Wilmot.

HILLSBOROUGH COUNTY: French of Bedford, Farwell, Doonan, Crosby, Abbott, Spaulding of Hudson, Cummings of Lyndeborough, Pettigrew, Danforth, Flanders, Connor, Dwyer, Martel, Sweeney, Nolan, Betley, Ellis, Healy of Manchester,

Ward 5, Proulx, Casey, Clancy, Ecker, Healy of Manchester, Ward 6, Sullivan of Manchester, Constant, Delisle, Cary, Gagnon, Auger, Getz, Kearns, Roche, Roukey, Lareau, Soucy, Vaillancourt, Chapdelaine, Daniel, Gauthier, Thibodeau, Cannon, Donnelly, Wedick, Peaslee, Falconer, Boire, Belcourt, Maynard of Nashua, Ward 3, Cote, Marquis, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Chartrain, Dupont, Ryan, Grandmaison, Janelle, Pelletier of Nashua, Ward 8, Bouthillier, Pelletier of Nashua, Ward 9, Cummings of Peterborough, Barry, Hines.

CHESHIRE COUNTY: O'Neil of Keene, Bennett, Codding, Pickett, Walsh, Sherwin, Lang.

SULLIVAN COUNTY: Angus, Nahil, Baron of Claremont, Carton, Marcotte of Claremont, Gamsby, Callum.

GRAFTON COUNTY: Gingras, Harrington, Avery, Ashley of Lebanon, Gardner, Burrill, Bell, Anderson.

COOS COUNTY: Dussault, Hinchey, Moffett, Henderson of Berlin, Sheridan, Morel, Bouchard, Fontaine, Laforce, Rines, Cummings of Colebrook, Oakes, Fraser, Means, Placy, Stinson.

ROCKINGHAM COUNTY: Libby, Clark of Derry, Gay, Freeman of East Kingston, Fecteau, LeComte, Bonney, Ring, McCaffery, Sheehy, Labranche of Newmarket, Sewall, Dondero, Durell, Leary, Smart, Scamman, Waterhouse.

STRAFFORD COUNTY: Stackpole, Marcotte of Dover, Shaheen, Felker, Carroll, Flanagan, Blanchard, Lacasse, St. Pierre, Lagueux, Cater of Somersworth.

BELKNAP COUNTY: McAllister, Simoneau, O'Shan, Brown of Laconia.

CARROLL COUNTY: Washburn, Downs, Nickerson, Lamprey, Moulton, Hodgdon, Hart of Wolfeboro.

Nays, 174

MERRIMACK COUNTY: Putney, Moore, Vogel, Marden, Tebbetts, Kennedy of Concord, Tobey, Hurd, Perkins of Concord, Saltmarsh, Tilton of Concord, Freeman of Concord, Greene of Concord, Nawn, Sawyer of Concord, Sargent, Hadley, Charland, Maxwell, Davis of Hopkinton, Smith of Loudon, Milligan, Wilman, Ferguson, Young.

HILLSBOROUGH COUNTY: Holmes, Wilson, Black, Poore, English, Goodwin, Corliss, Kennedy of Manchester, Geisel, Pillsbury, Nelson, Wadleigh, Cooper, Ramsdell, Underhill, Record, Brosnahan, Cormier, Locke of New Boston, Ashley of New Ipswich, Bass.

CHESHIRE COUNTY: Burnham, Dort, Jackson, Miller of Fitzwilliam, Maloney, Rathbun of Harrisville, Walker, Perry of Jaffrey, Spofford, Kirk, Landers, Wheeler, Erwin, Turner, Kershaw, Rhodes, Billings, Ingham of Winchester, Thompson of Winchester.

SULLIVAN COUNTY: Bascom, Frizzell, Brooks, Converse, Bissonett, Millar of Claremont, Carter of Cornish, Bailey, Perry of Newport, Rowell, Vaughan, Pierce.

GRAFTON COUNTY: Chamberlin of Bath, Plumer, Willey, Clarke of Canaan, Grass, Williams, Atkins, Fuller, Holden of Hanover, Chamberlin of Haverhill, McMeekin, Sleeper, Adams, Cole, Randall, Griffin of Lincoln, Collins of Lisbon, Kelley, Martin of Littleton, Pushee, Skinner, Howard, Huckins, Barney, Horner, Woodward, Gilbert, Sawyer of Woodstock.

COOS COUNTY: Shields, Brungot, Gould, Emerson, Kimball, Evans, Simonds, Hilliard.

ROCKINGHAM COUNTY: Tuttle, Griffin of Auburn, Wast coat, Darbe, Lindahl, Eldredge, Kendall, Rathbone of Exeter, Putnam, Merrill, Thurlow, Eastman, McNeil, Hall of Londonderry, Wells, Carter of No, Hampton, McDaniel, Colcord, Sukeforth, Foote, Yeaton, Ingraham of Portsmouth, Bluitte, Haigh, Durkee.

STRAFFORD COUNTY: Swain, Fellows, Crandall, Locke of Dover, Henderson of Durham, Parker, Caldwell, Horne, Dustin, Maxfield, Winters, Studley, Fernald, Green of Rollinsford, Malley, Brown of Strafford.

BELKNAP COUNTY: Perkins of Alton, Boutin, Weeks, Osborne, Hart of Laconia, Tilton of Laconia, Ward 3, Keller, Tilton of Laconia, Ward 4, Ransom, Smith of Meredith, Atwood, Metcalf.

CARROLL COUNTY: Benson, Hill, Morey, Knox, Remick, Sanborn, McHugh.

And the motion to indefinitely postpone did not prevail.

The question being on the motion to substitute the words, ought to pass, for the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the Chair was in doubt.

Mr. Foote of Portsmouth asked for a division.

A division being had, 183 members having voted in the affirmative, and 136 members having voted in the negative, the motion to substitute prevailed.

Mr. Foote of Portsmouth offered the following amendment:

Amend section 2 of said bill by striking out said section and inserting in place thereof the following:

2. Amend section 49 of chapter 170 of the Revised Laws by striking out the sentence in the eleventh line, "The primary responsibility for the enforcement of all liquor and beverage laws shall be upon the commission," and inserting in place thereof the following sentence, The commission shall have the primary responsibility for the enforcement of all liquor and beverage laws upon premises where liquor and beverages are lawfully sold, stored, distributed, or manufactured, so that said section as amended shall read as follows:

49. *Prosecutions.* The commission shall, for the proper prosecution of any violation of this chapter, appoint agents whose duty it shall be and who shall have the power to prosecute any person guilty of any violation of said chapter. The commission shall fix the compensation of such agents, subject to the approval of the governor and council. Said agents shall have all the powers of the sheriff in any county, with reference to the laws concerning liquor and beverage, and the enforcement of such laws, either in co-operation with, or independently of, the officers of any county or town. Said agents shall give bond, in the form prescribed for sheriffs, for the faithful performance of duty, in such sum and with such sureties as the governor and council shall prescribe. The commission shall have the primary responsibility for the enforcement of all liquor and beverage laws *upon premises where liquor and beverages are lawfully sold, stored, distributed or manufactured.* Any person violating the provisions of this chapter may be prosecuted by the commission or any of its agents as herein provided, or by county or city solicitors, or by sheriffs or their deputies, or by police officials of towns.

3. *Takes Effect.* This act shall take effect upon its passage.

The question being on the amendment offered by Mr. Foote of Portsmouth.

(Discussion ensued)

Mr. Foote of Portsmouth spoke in favor of the amendment.

Mr. Betley of Manchester moved that the amendment be printed in the Journal.

The question being on the motion.

(Discussion ensued)

Mr. Betley of Manchester spoke in favor of the motion.

Mr. Pillsbury of Manchester spoke against the motion.

On a *viva voce* vote the motion did not prevail.

The question being on the amendment offered by Mr. Foote of Portsmouth.

Mr. Betley of Manchester asked for a division.

A division being had, 294 members having voted in the affirmative and 93 members having voted in the negative, the amendment was adopted.

Mr. Betley of Manchester moved that the bill as amended be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Mr. Betley of Manchester spoke in favor of the motion.

Mr. Sanborn of Wakefield asked for a ruling of the Chair on the amendment.

Ruling of Chair

The Speaker ruled that the amendment did not materially change the bill and the provision of Rule No. 48 did not apply.

On a *viva voce* vote the motion to indefinitely postpone did not prevail.

Mr. Betley of Manchester asked for a division.

A division being had, 119 members having voted in the affirmative and 182 members having voted in the negative, the motion to indefinitely postpone did not prevail.

Mr. Pickett of Keene offered the following amendment:

Amend section 2 of the bill by striking out the words "upon its passage" and inserting in place thereof the word and figures, January 1, 1953, so that said section as amended shall read as follows:

2. *Takes Effect.* This act shall take effect January 1, 1953.

The question being on the amendment.

(Discussion ensued)

Mr. Pickett of Keene spoke in favor of the amendment.

Mr. Pillsbury of Manchester spoke against the amendment.

Mr. Betley of Manchester moved that the bill, with the amendment pending, be laid upon the table and made a special order for Tuesday, May 15, at 11:01 o'clock.

The question being on the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Betley of Manchester asked for a division.

A division being had, 111 members having voted in the affirmative and 196 members having voted in the negative, the motion for a special order did not prevail.

The question being on the amendment offered by Mr. Pickett.

(Discussion ensued)

Mr. Pickett of Keene spoke in favor of the amendment.

Mr. Pillsbury of Manchester spoke against the amendment.

Mr. Brown of Laconia moved that the House adjourn.

On a *viva voce* vote the motion did not prevail.

Mr. Betley of Manchester asked for a division.

A division being had, 101 members having voted in the affirmative and 207 members having voted in the negative, the motion to adjourn did not prevail.

Mr. Proulx of Manchester demanded the yeas and nays but subsequently withdrew his demand.

Mr. Betley of Manchester demanded the yeas and nays and the roll was called with the following result:

Yeas, 105

HILLSBOROUGH COUNTY: French of Bedford, Crosby, Pettigrew, Danforth, Geisel, Connor, Dwyer, Sweeney, Nolan, Betley, Ellis, Healy of Manchester, Ward 5, Proulx, Clancy, Ecker, Healy of Manchester, Ward 6, Sullivan of Manchester, Constant, Delisle, Cary, Gagnon, Auger, Getz, Roukey, Lareau, Soucy, Vaillancourt, Chapdelaine, Daniel, Gauthier, Thibodeau, Cannon, Donnelly, Wedick, Peaslee, Falconer, Belcourt, Cote, Marquis, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Chartrain, Dupont, Ryan, Grandmaison, Pelletier of Nashua, Ward 8, Bouthillier, Pelletier of Nashua, Ward 9, Cummings of Peterborough.

CHESHIRE COUNTY: O'Neil of Keene, Pickett, Walsh, Worcester.

SULLIVAN COUNTY: Baron of Claremont, Carton.

GRAFTON COUNTY: Gingras, Harrington, Avery, Gardner, Burrill, Anderson.

COOS COUNTY: Dussault, Hinchey, Moffett, Henderson of Berlin, Sheridan, Morel, Bouchard, Fontaine, LaForce, Rines, Means, Placy, Stinson.

ROCKINGHAM COUNTY: Libby, Gay, Fecteau, LaBranche of Newmarket, Sewall, Dondero, Leary.

STRAFFORD COUNTY: Marcotte of Dover, Shaheen, Carroll, Flanagan, LaCasse, St. Pierre, Cater of Somersworth.

BELKNAP COUNTY: Boutin, Simoneau, Brown of Laconia.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Dodge, Ferrin, Loiselle, Corbett, Burke, Charland, Beale, DuDevoir, Lea, Chandler.

Nays, 214

HILLSBOROUGH COUNTY: Holmes, Wilson, Black, Farwell, Poore, Doonan, English, Goodwin, Abbott, Spaulding of Hudson, Cummings of Lyndeborough, Corliss, Kennedy of Manchester, Pillsbury, Martel, Nelson, Wadleigh, Cooper, Rams-

dell, Underhill, Boire, Record, Brosnahan, Cormier, Janelle, Locke of New Boston, Ashley of New Ipswich, Bass, French of Weare, Barry, Hines.

CHESHIRE COUNTY: Burnham, Dort, Jackson, Miller of Fitzwilliam, Maloney, Rathbun of Harrisville, Walker, Perry of Jaffrey, Spofford, Kirk, Landers, Wheeler, Bennett, Erwin, Codding, Turner, Sherwin, Kershaw, Lang, Rhodes, Billings, Ingham of Winchester, Thompson of Winchester.

SULLIVAN COUNTY: Bascom, Frizzell, Angus, Brooks, Converse, Bissonnett, Millar of Claremont, Carter of Cornish, Bailey, Perry of Newport, Rowell, Vaughan, Pierce, Gamsby, Callum.

GRAFTON COUNTY: Chamberlin of Bath, Plumer, Willey, Clarke of Canaan, Grass, Williams, Atkins, Fuller, Holden of Hanover, Chamberlin of Haverhill, McMeekin, Sleeper, Adams, Ashley of Lebanon, Cole, Randall, Griffin of Lincoln, Kelley, Martin of Littleton, Pushee, Skinner, Bell, Huckins, Barney, Horner, Woodward, Gilbert, Sawyer of Woodstock.

COOS COUNTY: Shields, Brungot, Cummings of Colebrook, Gould, Emerson, Fraser, Kimball, Evans, Simonds, Hilliard, Taylor.

ROCKINGHAM COUNTY: Tuttle, Griffin of Auburn, Wastcoat, Hazelton, Darbe, Lindahl, Clark of Derry, Hepworth, Freeman of East Kingston, Eldredge, Kendall, Rathbone of Exeter, LeComte, Bonney, Putnam, Merrill, Ring, Thurlow, Eastman, McNeil, Hall of Londonderry, McCaffery, Sheehy, Wells, Carter of No. Hampton, McDaniel, Colcord, Sukeforth, Durell, Foote, Yeaton, Ingraham of Portsmouth, Bluitte, Philbrick, Haigh, Durkee, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Fellows, Crandall, Locke of Dover, Henderson of Durham, Blanchard, Parker, Caldwell, Horne, Rolfe, Dustin, Maxfield, Studley, Fernald, Green of Rollinsford, Lagueux, Malley, Brown of Strafford.

BELKNAP COUNTY: Perkins of Alton, McAllister, Weeks, Osborne, Hart of Laconia, Tilton of Laconia, Ward 3, Keller, Tilton of Laconia, Ward 4, O'Shan, Ransom, Smith of Meredith, Matthews, Atwood, Metcalf.

CARROLL COUNTY: Washburn, Benson, Downs, Hill, Morey, Nickerson, Lamprey, Moulton, Knox, Remick, Hodgdon, Sanborn, Hart of Wolfeboro, McHugh.

MERRIMACK COUNTY: Putney, Moore, Vogel, Marden, Tebbetts, Kennedy of Concord, Tobey, Hurd, O'Neil of Concord, Saltmarsh, Tilton of Concord, Bunten, Freeman of Concord, Greene of Concord, Blodgett of Concord, Ward 8, Nawn, Sawyer of Concord, Sargent, Hadley, Towle, Chase of Franklin, Ayotte, Maxwell, Mason, Davis of Hopkinton, Smith of Loudon, Milligan, Lamson, Wilman, Ferguson, Young, Powell.

And the motion to adjourn did not prevail.

Mr. Scamman of Stratham moved the previous question.

The question being, Shall the main question now be put?

Mr. Betley of Manchester demanded the Yeas and Nays, and the roll was called with the following result:

Yeas, 251

HILLSBOROUGH COUNTY: Holmes, Wilson, French of Bedford, Black, Farwell, Poore, Doonan, English, Crosby, Goodwin, Abbott, Spaulding of Hudson, Cummings of Lyndeborough, Corliss, Kennedy of Manchester, Pettigrew, Danforth, Pillsbury, Martel, Healey of Manchester, Ward 6, Gauthier, Peaslee, Falconer, Nelson, Wadleigh, Cooper, Ramsdell, Underhill, Boire, Record, Brosnahan, Ryan, Pelletier of Nashua, Ward 8, Pelletier of Nashua, Ward 9, Locke of New Boston, Ashley of New Ipswich, Bass, Cummings of Peterborough, French of Weare, Hines.

CHESHIRE COUNTY: Burnham, Dort, Jackson, Miller of Fitzwilliam, Maloney, Rathbun of Harrisville, Walker, Perry of Jaffrey, Spofford, Kirk, O'Neil of Keene, Landers, Wheeler, Bennett, Erwin, Codding, Turner, Pickett, Walsh, Sherwin, Kershaw, Lang, Rhodes, Billings, Ingham of Winchester, Thompson of Winchester,

SULLIVAN COUNTY: Bascom, Frizzell, Angus, Brooks, Converse, Bissonnett, Millar of Claremont, Nahil, Baron of Claremont, Marcotte of Claremont, Carter of Cornish, Bailey, Perry of Newport, Rowell, Vaughan, Pierce, Gamsby, Callum.

GRAFTON COUNTY: Plumer, Willey, Clarke of Canaan, Avery, Grass, Williams, Atkins, Fuller, Holden of Hanover,

Chamberlin of Haverhill, McMeekin, Sleeper, Adams, Ashley of Lebanon, Cole, Randall, Griffin of Lincoln, Kelley, Martin of Littleton, Pushee, Burrill, Skinner, Bell, Huckins, Barney, Horner, Anderson, Woodward, Gilbert, Sawyer of Woodstock.

COOS COUNTY: Shields, Brungot, Cummings of Colebrook, Gould, Oakes, Emerson, Fraser, Kimball, Evans, Simonds, Hilliard, Placy, Stinson, Taylor.

ROCKINGHAM COUNTY: Tuttle, Griffin of Auburn, Wastcoat, Hazelton, Darbe, Lindahl, Clark of Derry, Gay, Hepworth, Freeman of East Kingston, Eldredge, Kendall, Rathbone of Exeter, LeComte, Bonney, Putnam, Merrill, Ring, Thurlow, Eastman, McNeil, Hall of Londonderry, McCaffery, Sheehy, Wells, McDaniel, Colcord, Dondero, Sukeforth, Durell, Foote, Yeaton, Leary, Smart, Ingraham of Portsmouth, Bluitte, Philbrick, Haigh, Durkee, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Marcotte of Dover, Felker, Fellows, Crandall, Locke of Dover, Henderson of Durham, Blanchard, Parker, Horne, Rolfe, Dustin, Maxfield, St. Pierre, Studley, Fernald, Green of Rollinsford, Lagueux, Cater of Somersworth, Malley, Brown of Strafford.

BELKNAP COUNTY: Perkins of Alton, McAllister, Boutin, Weeks, Osborne, Hart of Laconia, Tilton of Laconia, Ward 3, Keller, Tilton of Laconia, Ward 4, O'Shan, Ransom, Smith of Meredith, Matthews, Atwood, Metcalf.

CARROLL COUNTY: Washburn, Benson, Downs, Hill, Morey, Nickerson, Lamprey, Moulton, Knox, Remick, Hodgdon, Sanborn, Hart of Wolfeboro, McHugh.

MERRIMACK COUNTY: Putney, Moore, Vogel, Marden, Tebbetts, Kennedy of Concord, Tobey, Hurd, Perkins of Concord, O'Neil of Concord, Saltmarsh, Tilton of Concord, Bunten, Freeman of Concord, Greene of Concord, Blodgett of Concord, Ward 8, Nawn, Sawyer of Concord, Sargent, Hadley, Towle, Chase of Franklin, Ayotte, Maxwell, Mason, Davis of Hopkinton, Smith of Loudon, Milligan, Lamson, Wilman, Ferguson, Young, Powell.

Nays, 75

HILLSBOROUGH COUNTY: Connor, Dwyer, Sweeney, Nolan, Betley, Ellis, Healy of Manchester, Ward 5, Proulx, Clancy,

Ecker, Sullivan of Manchester, Constant, Delisle, Cary, Gagnon, Auger, Getz, Roukey, Lareau, Soucy, Vaillancourt, Chapdelaine, Daniel, Thibodeau, Cannon, Donnelly, Wedick, Belcourt, Maynard of Nashua, Ward 3, Cote, Marquis, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Chartrain, Dupont, Cormier, Bouthillier, Barry.

CHESHIRE COUNTY: None.

SULLIVAN COUNTY: Carton.

GRAFTON COUNTY: Gingras, Harrington, Gardner.

COOS COUNTY: Dussault, Hinchey, Moffett, Henderson of Berlin, Sheridan, Morel, Bouchard, Fontaine, Laforce, Means.

ROCKINGHAM COUNTY: Libby, Fecteau, Labranche of Newmarket, Sewall.

STRAFFORD COUNTY: Stackpole, Shaheen, Carroll, Flanagan, Lacasse.

BELKNAP COUNTY: Simoneau, Brown of Laconia.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Dodge, Ferrin, Loiselle, Corbett, Burke, Charland, Beale, DuDevoir, Lea, Chandler.

And the previous question was ordered.

The question being on the amendment offered by Mr. Pickett.

On a *viva voce* vote the amendment was not adopted.

Mr. Corbett of Concord asked for a division.

A division being had, 94 members having voted in the affirmative and 209 members having voted in the negative, the amendment was not adopted.

Mr. Corbett of Concord offered the following amendment:

Amend House Bill No. 220 by striking out in line 22 the words "public place" and insert the words "bona fide restaurants" that have a liquor license, also hotels and clubs with a liquor license.

The question being on the amendment offered by Mr. Corbett of Concord.

(Discussion ensued)

Messrs. Corbett of Concord and Betley of Manchester spoke in favor of the amendment.

Mr. Kennedy of Manchester and Mrs. Cooper of Nashua spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Betley of Manchester demanded the yeas and nays and the roll was called with the following result:

Yeas, 90

HILLSBOROUGH COUNTY: French of Bedford, Farwell, Crosby, Dwyer, Sweeney, Nolan, Betley, Ellis, Healy of Manchester, Ward 5, Proulx, Clancy, Ecker, Healy of Manchester, Ward 6, Sullivan of Manchester, Constant, Delisle, Cary, Gagnon, Auger, Getz, Lareau, Soucy, Vaillancourt, Chapdelaine, Daniel, Gauthier, Thibodeau, Cannon, Donnelly, Wedick, Belcourt, Maynard of Nashua, Ward 3, Brosnahan, Cote, Marquis, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Chartrain, Dupont, Ryan, Grandmaison, Pelletier of Nashua, Ward 8, Bouthillier, Pelletier of Nashua, Ward 9, Hines.

CHESHIRE COUNTY: Pickett, Walsh.

SULLIVAN COUNTY: Marcotte of Claremont.

GRAFTON COUNTY: Gingras, Gardner, Anderson.

COOS COUNTY: Dussault, Hinchey, Moffett, Henderson of Berlin, Sheridan, Morel, Bouchard, Fontaine, LaForce, Cummings of Colebrook, Oakes, Means, Placy, Stinson.

ROCKINGHAM COUNTY: Libby, Lindahl, Fecteau, Labranche of Newmarket, Sewall.

STRAFFORD COUNTY: Marcotte of Dover, Shaheen, Carroll, Flanagan, Lacasse.

BELKNAP COUNTY: Boutin, Simoneau, Brown of Laconia.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Dodge, Ferrin, Loiselle, Corbett, Burke, Charland, Beale, DuDevoir, Lea, Chandler.

Nays, 234

HILLSBOROUGH COUNTY: Holmes, Wilson, Black, Poore, Doonan, English, Goodwin, Abbott, Spaulding of Hudson, Cum-

mings of Lyndeborough, Corliss, Kennedy of Manchester, Pettigrew, Pillsbury, Connor, Martel, Peaslee, Falconer, Nelson, Wadleigh, Cooper, Ramsdell, Underhill, Boire, Record, Cormier, Locke of New Boston, Ashley of New Ipswich, Bass, Cummings of Peterborough, French of Weare, Barry.

CHESHIRE COUNTY: Burnham, Dort, Jackson, Miller of Fitzwilliam, Maloney, Rathbun of Harrisville, Walker, Perry of Jaffrey, Spofford, Kirk, O'Neil of Keene, Landers, Wheeler, Bennett, Erwin, Codding, Turner, Sherwin, Kershaw, Lang, Rhodes, Billings, Ingham of Winchester, Thompson of Winchester.

SULLIVAN COUNTY: Bascom, Frizzell, Angus, Brooks, Converse, Bissonett, Millar of Claremont, Nahil, Baron of Claremont, Carton, Carter of Cornish, Bailey, Perry of Newport, Rowell, Vaughan, Pierce, Gamsby, Callum.

GRAFTON COUNTY: Plumer, Willey, Clarke of Cannan, Grass, Atkins, Fuller, Holden of Hanover, Chamberlin of Haverhill, McMeekin, Sleeper, Adams, Cole, Jones, Randall, Griffin of Lincoln, Kelley, Martin of Littleton, Pushee, Burrill, Skinner, Howard, Bell, Huckins, Barney, Horner, Woodward, Gilbert, Sawyer of Woodstock.

COOS COUNTY: Shields, Brungot, Rines, Gould, Emerson, Fraser, Kimball, Evans, Simonds, Hilliard, Taylor.

ROCKINGHAM COUNTY: Tuttle, Griffin of Auburn, Wastcoat, Hazelton, Darbe, Clark of Derry, Gay, Hepworth, Eldredge, Kendall, Rathbone of Exeter, LeComte, Bonney, Putnam, Merrill, Ring, Thurlow, Eastman, McNeil, Hall of Londonderry, McCaffery, Sheehy, Wells, Carter of No. Hampton, Colcord, Dondero, Sukeforth, Durell, Foote, Yeaton, Leary, Smart, Ingraham of Portsmouth, Bluitte, Philbrick, Haigh, Durkee, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Stackpole, Felker, Fellows, Crandall, Locke of Dover, Henderson of Durham, Blanchard, Parker, Caldwell, Horne, Rolfe, Dustin, Maxfield, Winters, St. Pierre, Studley, Fernald, Green of Rollinsford, Lagueux, Cater of Somersworth, Malley, Brown of Strafford.

BELKNAP COUNTY: Perkins of Alton, McAllister, Weeks, Osborne, Hart of Laconia, Tilton of Laconia, Ward 3, Keller,

Tilton of Laconia, Ward 4, Ransom, Smith of Meredith, Atwood, Metcalf.

CARROLL COUNTY: Washburn, Benson, Downs, Hill, Morey, Nickerson, Lamprey, Moulton, Knox, Remick, Hodgdon, Sanborn, Hart of Wolfeboro, McHugh.

MERRIMACK COUNTY: Putney, Moore, Vogel, Marden, Tebbetts, Kennedy of Concord, Tobey, Hurd, Perkins of Concord, O'Neil of Concord, Saltmarsh, Tilton of Concord, Bunten, Freeman of Concord, Greene of Concord, Blodgett of Concord, Ward 8, Nawn, Sawyer of Concord, Sargent, Hadley, Towle, Chase of Franklin, Ayotte, Maxwell, Mason, Davis of Hopkinton, Smith of Loudon, Milligan, Lamson, Wilman, Ferguson, Young, Powell.

And the amendment was not adopted.

Rule No. 16

The Speaker called attention to House Rule No. 16 to the membership.

Mr. Betley of Manchester moved that the House take a two-hour recess.

The question being on the motion.

(Discussion ensued)

Mr. Sanborn of Wakefield spoke against the motion.

On a *vica voce* vote the motion did not prevail.

Mr. Betley of Manchester offered the following amendment.

Strike out "upon its passage" and insert, in 1999.

The Speaker ruled the amendment dilatory and out of order.

Mr. Turner of Keene moved that the rules be suspended, and House Bill No. 220, be put upon its third reading and final passage, by title, at the present time.

Mr. Scamman of Stratham moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion of Mr. Turner of Keene.

On a *viva voce* vote the motion prevailed.

The bill was read a third time.

The question being, Shall the bill pass?

Mr. Betley of Manchester demanded the Yeas and Nays, but subsequently withdrew his demand.

The bill was passed, and sent to the Senate for concurrence.

Reconsideration

Mr. Pillsbury of Manchester moved that the House reconsider the vote whereby it passed House Bill No. 220.

On a *viva voce* vote the motion to reconsider did not prevail.

(Mr. Sanborn of Wakefield in Chair)

Mr. Foote of Portsmouth, for the Committee on Liquor Laws, to whom was referred House Bill No. 318, An act relative to misrepresentation by minor for the purpose of purchase of liquor or beverages, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mrs. Brungot of Berlin moved that the bill be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Mrs. Brungot of Berlin spoke in favor of the motion.

Mr. Pickett of Keene moved that the bill be made a special order for Thursday, May 10, at 11:01 o'clock.

The question being on the motion.

(Discussion ensued)

Mr. Pickett of Keene spoke in favor of the motion.

Mr. Pillsbury of Manchester spoke against the motion.

On a *viva voce* vote the motion did not prevail.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Messrs. Pillsbury of Manchester and Willey of Campton spoke in favor of the motion.

Messrs. Foote of Portsmouth, Martel of Manchester and Gamsby of Sunapee, and Mrs. Dondero of Portsmouth, spoke against the motion.

Mr. Hart of Wolfeboro moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

Mr. Foote of Portsmouth asked for a division.

A division being had, 75 members having voted in the affirmative, and 219 members having voted in the negative, the motion to indefinitely postpone did not prevail.

Mr. Spaulding of Hudson offered the following amendment:

Amend section 1 of the bill by inserting after the word "Prohibition" the words, The parents of, so that said section as amended shall read as follows:

1. *Liquor and Beverages.* Amend chapter 170 of the Revised Laws by inserting after section 39 the following new section: 39a. *Prohibition.* The parents of a minor who falsely represents his age for the purpose of procuring liquor or beverages and who procures such liquor or beverages shall be fined not more than twenty dollars.

The question being on the amendment.

(Discussion ensued)

Mr. Spaulding of Hudson spoke in favor of the amendment.

On a *viva voce* vote the amendment was not adopted.

The bill was ordered to a third reading.

Mr. Pickett of Keene moved that the rules be suspended and House Bill No. 318 be put upon its third reading and final passage, by title, at the present time.

On a *viva voce* vote the motion prevailed.

The bill was read a third time and passed and sent to the Senate for concurrence.

Reconsideration

Mr. Pickett of Keene moved that the House reconsider the vote whereby it passed House Bill No. 318.

On a *viva voce* vote the motion to reconsider did not prevail.

Mrs. Saltmarsh of Concord, for the Committee on Public Health, to whom was referred Senate Bill No. 72, An act

relative to town and city health officers, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Corliss of Manchester, for the special committee consisting of the members from the city of Manchester, to whom was referred House Bill No. 134, An act providing for a standard work day for city employees in the city of Manchester, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Corliss of Manchester, for the Special Committee consisting of the members from the city of Manchester, to whom was referred House Bill No. 244, An act providing for election of ward political committee in the city of Manchester, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Corliss of Manchester, for the Special Committee consisting of the members from the city of Manchester, to whom was referred House Bill No. 363, An act relating to a merit system for the fire department of the city of Manchester, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Taken from the Table

Mr. Angus of Claremont, for the Committee on Labor, to whom was referred House Bill No. 191, An act relating to hours of work, reported the same with the amendment as printed in the Journal of May 3, 1951, and the recommendation that the bill as amended ought to pass.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

(The Speaker in Chair)

On motion of Mr. English of Hancock the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Philbrick of Rye, for the Committee on Public Welfare and State Institutions, to whom was referred House Bill No. 219, An act relating to public welfare department, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Supervision and Licensing.* Amend paragraph IV of section 6 of chapter 126 of the Revised Laws by striking out the same and inserting in place thereof the following: IV. *Supervision and Licensing.* Supervise and license all private institutions and private boarding homes providing assistance, care, or other direct services to children who are neglected, delinquent, defective, or dependent as well as to the aged, blind, feebleminded, and other dependent persons, provided that it shall not license such institutions and homes as are required by statute to be licensed by the state board of health. In the case of institutions and homes licensed by the state board of health wherein are persons receiving assistance through the department of public welfare, the state board of health shall, upon request, make available to the department of public welfare such pertinent information as may be necessary to enable the latter department to ascertain the condition and operation of such institution and homes for persons receiving assistance from it.

Amend section 4 of said bill by striking out the same and inserting in place thereof the following:

4. *Repeal.* Paragraph XII of section 6 of chapter 126 of the Revised Laws, providing for school lunch program is hereby repealed.

Amend section 5 of said bill by striking out the same and inserting in place thereof the following:

5. *Relatives.* Amend section 9 of chapter 126 of the Revised Laws by striking out said section and inserting in place thereof the following: 9. *Liability for Support; Recovery.* Assistance rendered under this chapter to any one having a father, mother, stepfather, stepmother, son, daughter, husband or wife, whose weekly income or other resources

are more than sufficient to provide a reasonable subsistence compatible with decency and health, may be recovered in an appropriate proceeding in the superior court brought by the commissioner in the name of the state, from either a father, mother, stepfather, stepmother, son, daughter, husband, or wife, who are declared jointly and severally liable for such assistance. Such action shall be brought by the attorney-general or the solicitor for the county in which any such relative resides when so requested by the commissioner. The words "stepfather" or "stepmother" as used herein shall only apply to a person who has assumed the relation of a parent to his minor stepchild.

Amend said bill by inserting after section 5 the following new section:

6. *Authority of Commissioner.* Amend chapter 126 of the Revised Laws by inserting after section 9 as hereinbefore amended the following new section: 9-a. *Compelling Support.* Upon the request of the commissioner any such father, mother, stepfather, stepmother, son, daughter, husband or wife shall provide the support of the person assisted under this chapter, or contribute thereto. Should such relative refuse to comply with such request, the commissioner may bring an appropriate proceeding in the superior court in the name of the state to compel such support or contribution thereto. If upon hearing it shall appear that such relative is able to provide the support of such person or to contribute thereto, the court shall enter an order accordingly and shall fix the amount and method and manner of payment. Failure to comply with any such order shall be deemed contempt of court and punished accordingly. Such proceedings shall be brought by the attorney-general or the solicitor for the county in which any such relative resides when so requested by the commissioner.

Further amend said bill by renumbering section 6 to read section 7.

Further amend said bill by striking out sections 7 and 8 and inserting in place thereof the following:

8. *Estates.* Amend section 32 of chapter 126 of the Revised Laws as amended by section 1, chapter 173, Laws of 1949, by inserting after the word "any" in the sixth line the words, and until enforced as provided herein, so that

said section as amended shall read as follows: 32. *Claims and Liens.* The estate of every recipient, and the estate of his or her spouse, residing with said recipient, if any, owned severally or as joint tenants, shall be holden for all assistance granted to the recipient. All such liens shall continue during the lifetime of the recipient and of the spouse of the recipient, if any, and until enforced as provided herein, unless sooner released by the commissioner. Within thirty days after the first grant of assistance to a recipient, the commissioner shall file with the register of deeds of the county in which the recipient, or the spouse of the recipient, if any, owns real property and with the town clerk of the town in which the recipient and the spouse of the recipient, if any, resides, notice of the lien together with the name of the recipient, and the spouse of the recipient, if any. The register of deeds and town clerk shall keep a suitable record of such notices without charging any fee therefor and enter thereon an acknowledgement of satisfaction upon written request from the commissioner.

9. *Foreclosure of Liens.* Amend chapter 126 of the Revised Laws by inserting after section 32-b, as inserted by section 1, chapter 173, Laws of 1949, the following new section:

32-c. *Enforcement.* Liens arising under the provisions of this chapter may be enforced by a bill in equity.

10. *Takes Effect.* Except as otherwise provided herein, this act shall take effect upon its passage.

The report was accepted.

The bill with the amendment pending was laid upon the table to be printed, under rule No. 48, to be taken up May 15.

Message from the Senate

A message from the Honorable Senate by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives.

House Bill No. 192, An act relative to the charter of the City of Claremont.

House Bill No. 355, An act relating to fine and imprisonment in offenses against the police of towns.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 74. An act relating to conversion between State and National Banks.

Senate Bill No. 75, An act to provide for short-form deeds.

Senate Bills Read and Referred

Senate Bill No. 74. An act relating to conversion between state and national banks.

Read a first and second time and referred to the Committee on Banks.

Senate Bill No. 75, An act to provide for short-form deeds.

Read a first and second time and referred to the Committee on Judiciary.

Resolutions

Mr. Pickett of Keene offered the following resolution:

Whereas, David J. Barry, Representative from Wilton for several sessions, has been appointed County Commissioner of Hillsborough County, and

Whereas, Commissioner Barry has served his town, county and state with great efficiency and thoroughness in several capacities including Town Moderator, Chairman of Hillsborough County Delegation, Clerk of the Appropriations Committee and Minority Leader of the House of Representatives, therefore be it

Resolved, That we, the members of the House of Representatives, pay tribute to our fellow member for his many years of meritorious service, congratulate him on his appointment as county commissioner and extend our very best wishes for his success in this new office, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Commissioner Barry.

On a *viva voce* vote the resolution was adopted.

Mr. Gamsby of Sunapee offered the following resolution:

Whereas, today, May 9, 1951, is the birthday of Guy W. Nickerson, Representative from Madison for several sessions and former State Senator, therefore be it

Resolved, that we, the members of the House of Representatives, extend to our fellow member our heartiest congratulations and best wishes for many future birthdays, and be it further

Resolved, that the Clerk of the House transmit to Mr. Nickerson a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

Mr. Malley of Somersworth offered the following resolution:

Resolved, That the Clerk is hereby authorized to procure 1500 additional copies of House Bill No. 419, and 1500 additional copies of House Bill No. 429.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh the House adjourned from the morning session.

The House was immediately called to order in afternoon session.

On motion of Mr. Wadleigh, third reading of bills were by their titles only.

Third Readings

House Bill No. 191, An act relating to hours of work.

House Bill No. 413, An act conferring jurisdiction upon the Superior Court of actions founded on express or implied contract.

House Joint Resolution No. 37, Joint resolution for an investigation by judicial council into the payment of costs arising in certain criminal prosecutions.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 19, An act relating to duties of the director of accounts.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

Senate Bill No. 72, An act relative to town and city health officers.

Read a third time and passed and sent to the secretary of state to be engrossed.

On motion of Mr. Swain of Barrington at 4:35 o'clock the House adjourned.

THURSDAY, MAY 10, 1951.

The House met according to adjournment.

Prayer was offered by the Chaplain.

O Lord God, Who abidest ever the same through time and through changing conditions, give unto us the spirit of restraint and self-control. In the midst of a wide liberty, great privileges, and mighty temptations, we need Thy controlling and directing power. Take from us that spirit of self-sufficiency, that reliance alone on our puny wisdom and strength, and give us a deepened sense of cooperation with Thee. We would not ask Thee, O Lord, to do for us what we can, and should do for ourselves, but we would ask Thee to give us of Thy Spirit that we may better know the right way to take and the right thing to do. And Thy name shall have all the praise. Amen.

Leaves of Absence

Messrs. Pillsbury and Kennedy of Manchester were granted leaves of absence for the day on account of important business.

Mr. Lamson of New London was granted leave of absence for two weeks on account of important business.

Engrossed Bills Report

Mrs. Shields of Berlin, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 59, An act relative to recording fees for town clerks.

House Bill No. 225, An act relating to obscene literature, pictures and articles.

House Bill No. 294, An act relative to the military rank of the adjutant-general.

House Bill No. 325, An act approving the act of the governor in signing the interstate compact for civil defense.

House Bill No. 339, An act relative to the duties of the director of the division of employment security.

Senate Bill No. 29, An act relative to investment of funds received from the United States.

Senate Bill No. 31, An act providing for recording of internal revenue tax liens.

Senate Bill No. 65, An act relative to legalizing the annual meeting of 1951 of the school district of Gorham.

House Bill No. 10, An act relative to conduct of elections in towns.

House Bill No. 183, An act relative to manner of taking deer in certain towns.

The report was accepted.

Committee Reports

Mr. Merrill of Hampton, for the Special Committee consisting of the members from the County of Rockingham, to whom was referred House Bill No. 394, An act relative to the salaries of the county commissioners of Rockingham county, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place the following:

1. *Rockingham County Commissioners.* Amend section 27 of chapter 47 of the Revised Laws, as amended by chapters 119, 150, 195 and 202 of the Laws of 1943, by section 1 of chapters 66 and 163 of the Laws of 1945, by section 1 of chapters 202 and 284 of the Laws of 1947 and by chapters 73 and 162 of the Laws of 1949 by striking out the word "fifteen" in the fourth line and inserting in place thereof the word, eighteen, so that said section as amended shall read as follows:

27. *Commissioners.* The annual salary of each commissioner of the following counties shall be as follows, payable monthly by the county:

In Rockingham, eighteen hundred dollars.
In Strafford, twelve hundred dollars.
In Belknap, twelve hundred dollars.
In Merrimack, fifteen hundred dollars.
In Hillsborough, three thousand dollars.
In Cheshire, fifteen hundred dollars.
In Sullivan, ten hundred dollars.
In Grafton, ten hundred dollars.
In Coos, fifteen hundred dollars.

In Carroll county each commissioner, when employed in the business of the county, shall receive eight dollars a day,

payable as hereinbefore provided. To the foregoing sums shall be added, in all the counties, a reasonable sum for all necessary expenses, upon order of the county auditors.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Taken from the Table

The Committee on Judiciary, to whom was referred House Bill No. 380, An act relative to notification of so-called write-in candidates, having considered the same, reported the same with the amendment as printed in the Journal of May 8, 1951 and the recommendation that the bill as amended ought to pass.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Special Order

Mr. Perkins of Concord called for the special order.

It being House Bill No. 241, An act relative to so-called write-in political candidates.

Subject matter covered by House Bill No. 380.

The question being that it is inexpedient to legislate.

The resolution of the committee was adopted.

Message from the Senate

A message from the Honorable Senate by its Clerk announced that the Senate has concurred with the House of Representatives in the passage of the following entitled bill with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 211, An act relating to auctions of jewelry.

Amend paragraph 1 of section 1, line 2, by striking out the word "five" and substituting in place thereof the word, nine. Further amend paragraph 2 of section 1 line 4 by adding after the word "on" the words, the day preceding. Strike out in line 8 of said paragraph 4 after the word "purchased" the words, cost price to the licensee or seller. Add in line 13 after the word "each" the words, such preceding, so that said paragraphs 1 and 2 as amended shall read as follows:

I. Such auctions shall be conducted exclusively between the hours of 11:00 a.m. and 9:00 p.m., excepting Sundays and holidays on which days no auctions shall be conducted.

II. On or before 10:00 a. m. on the day preceding any day on which an auction is to be conducted, the licensee shall post in a conspicuous place at or near the entrance to the premises an itemized list of the merchandize to be sold on that day, and no merchandise shall be sold at auction on that day which is not contained on such list when first posted. The list shall itemize each article to be sold, numbering each such item in numerical order, describing each item by its true name, brand name, name of manufacturer, name of wholesale vendor or jobber, from whom purchased, and the number of carats or jewels in the same, or weight and quality of same, or kind, quality and degree of purity of metal of same, where applicable. Imitations, rebuilt goods, second-hand goods or goods having second-hand parts shall be plainly stated as such on said list. A copy of such list shall also be delivered by the licensee on or before 10:00 a. m. on each such preceding day to the office of the tax assessors in the case of a city or to the abode of one of the selectmen in the case of a town. Both copies of said list shall be verified as true under oath by the licensee.

Amend section 4-a of the bill by striking out in the title the words "stock-in-trade tax," and substituting therefor the word, taxes. Further amend said section 4-a by striking out in line 5 the words "stock-in-trade" and adding after the word, "conducted," in line 7 the words, or by the state of New Hampshire. And after the word "collector" in line 9 the words, or state authority, so that section as amended shall read as follows:

4-a. *Security for Payment of Taxes.* The licensing authority may before the issuance of any license hereunder require the licensee to make a cash deposit with it in such reasonable sum as it may determine to be necessary to secure the payment of any tax which may be levied against the licensee by the assessors of said city or town in which said auction is conducted. If any such tax shall be paid by the licensee within thirty days after the tax collector or state authority has mailed notice of said tax, then said deposit shall be refunded by the licensing authority to the licensee. If such tax shall not be paid within said period, then the licensing authority wihout

further notice may pay all or such portion of said cash deposit as may be necessary to the tax collector to satisfy said tax, refunding to the licensee any balance then due him.

Amend section 5 of the bill by adding after the word "by" in the fourth line of said section the words, operation of, so that said section as amended shall read as follows:

5. *Exemption.* This chapter shall not apply to sales made by sheriffs, deputy sheriffs, constables, collectors of taxes, executors, administrators, guardians, conservators, mortgagees, assignees for the benefit of creditors, or by any person required by operation of law to sell personal property. This chapter shall not apply to any sales of antiques nor shall it apply to any sales of used goods which are not, at the time of sale or immediately prior thereto, part of the stock in trade of a retailer, wholesaler, or distributor of the class or classes of goods described in section 1.

On motion of Mr. Hurd of Concord the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

Resolution

Mr. Evans of Lancaster offered the following resolution:

Whereas, Friday, May 11, 1951 is the fifty-sixth wedding anniversary of Arthur Simonds, Representative from Lancaster, therefore be it

Resolved, that we, the Members of the House of Representatives, hereby extend to our fellow member our heartiest congratulations on this memorable occasion and our best wishes to him and Mrs. Simonds for many more years of happy married life, and be it further

Resolved, that when the House adjourns today it be in tribute to Representative Simonds and that the Clerk of the House transmit to him a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford, the rules were suspended, business in order at 3:00 o'clock was made in order at the present time, and the third reading of bills were read by their titles, only.

Third Readings

House Bill No. 380, An act relative to notification of so-called write-in candidates at the state primary.

House Bill No. 394, An act relative to the salaries of the county commissioners of Rockingham county.

Severally read a third time and passed, and sent to the Senate for concurrence.

Joint Convention

Pursuant to a concurrent resolution, adopted by both branches, His Excellency the Governor and the Honorable Senate came in, both branches being in joint convention.

Mr. Charles C. Ralls, Commander-in-Chief, Veterans of Foreign Wars of the United States, addressed the convention.

Mrs. George A. Ilg, National President, Ladies' Auxiliary to the Veterans of Foreign Wars of the United States, addressed the convention.

On motion of Senator Butman of District No. 23 the convention rose.

House

On motion of Miss Ellis of Manchester at 11:55 o'clock the House adjourned.

TUESDAY, MAY 15, 1951

The House met according to adjournment.

Prayer was offered by Guest Chaplain Rev. Sidney D. Cahoon of the Baptist Church, Woodstock, N. H.

Our Father in Heaven, humbly we bow before Thee. Thou art a God who giveth to all men liberally, and Thy gracious promise is, "As thy days so shall thy strength be."

We pray that Thy presence may be with us this busy day. In the performance of our duties, may we not hesitate to seek counsel of Thee.

Give unto those who bear the responsibilities of our State, Thy divine wisdom and guidance, as they seek to carry on the business of state and people.

Mould our thoughts with immovable conviction of the right as we hold forth the torch of faith, hope and love. We ask in Jesus' Name. Amen.

Leaves of Absence

Messrs. Brunel of Concord and Hazelton of Chester were granted leaves of absence for the week on account of important business.

Messrs. Hambleton of Goffstown and Janelle of Nashua were granted leaves of absence for the day on account of important business.

Mr. Dame of Portsmouth was granted leave of absence for the day on account of attending a funeral.

Mr. Locke of New Boston was granted leave of absence for the day on account of attending a funeral.

Introduction of Bill

By Committee on Rules, House Bill No. 430, An act providing for a supplemental appropriation for state institutions. Referred to the Committee on Appropriations.

Engrossed Bills

Mrs. Landers of Keene, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 96, An act relative to a certain road and bridge in the town of Thornton.

House Bill No. 192, An act relative to the charter of the city of Claremont.

House Bill No. 232, An act relative to taking fish from lakes, ponds and rivers partly in another state.

House Bill No. 333, An act relating to the registration fee for private non-commercial landing areas.

House Bill No. 351, An act relative to the taxation of natural gas pipe lines.

House Bill No. 355, An act relating to fine and imprisonment in offenses against the police of towns.

Senate Bill No. 44, An act regulating school buses.

Senate Bill No. 56, An act relative to motor vehicles owned by totally blind service-connected veterans.

Senate Bill No. 72, An act relative to town and city health officers.

The report was accepted.

Supreme Court Opinion on House Bill No. 418

To the House of Representatives:

The undersigned Justices of the Supreme Court make the following answers to the inquiries contained in your resolution adopted the third of May, 1951, with reference to House Bill No. 418, An act repealing certain taxes and providing for additional revenue of the state, including a retail sales tax.

It should be noted that the validity of a tax on retail sales is not questioned. That such a tax is constitutional has been declared by this court on former occasions. *Opinion of the Justices,* 84 N. H. 559, 576; *Opinion of the Justices,* 88 N. H. 500; *Opinion of the Justices,* 95 N. H. 546. "The tax being upon 'the transmission of property in a distinctive way,' it is immaterial whether it be placed upon the seller or upon the purchaser." *Opinion of the Justices,* 88 N. H. 500, 503. Tangible personal property sold at retail is one of the "other classes of property" referred to in Art. 6 of Part II of the Constitution as being subject to taxation. See also, *Havens* v. *Attorney-General,* 91 N. H. 115; *Opinion of the Justices,* 94 N. H. 506.

Question 1 (a) raises the issue of whether it is constitutional to repeal the stock in trade tax and the tax on live stock (R. L., *c.* 73, *s.* 16, as amended), and impose a tax on raw materials and goods in process other than finished products of any manufactory. Insofar as this provides for the imposition of a tax it includes in the class of general property or estates raw materials and goods in process other than finished products of any manufactory. The issue raised is whether it is constitutional at the same time to exempt the stock in trade of merchants and others. No constitutional question is presented by the repeal of the tax on live stock and poultry. *Opinion of the Justices,* 88 N. H. 500, 510, 511.

"In the selective process of classifying certain property for taxation and exempting other property the Legislature has a wide discretion which will be sustained 'provided just reasons exist for the selection made.' *Opinion of the Justices,* 94 N. H. 506, 508." *Opinion of the Justices,* 95 N. H. 548, 550. The Legislature has liberal powers with respect to the clas-

sification of taxable property. *Canaan* v. *District,* 74 N. H. 517. It may be made for any just reason. *Opinion of the Justices,* 82 N. H. 561, 574. If there is such reason and the proposed selection is not arbitrarily made or for the sole purpose of preferring some taxpayers to others it will be upheld.

The argument is made that imposition of a tax upon the raw materials and goods in process of manufacture coupled with repeal of the tax upon the stock in trade of retailers and wholesalers is not a selection supported by "just reason." *Cf. Opinion of the Justices,* 95 N. H. 548. Originally, a tax was imposed upon the stock in trade of merchants, while that of manufacturers went untaxed. See *Smith* v. *Burley,* 9 U. H. 423. Commencing in 1825, however, and since that date, taxes have likewise been imposed upon the "raw materials and manufactures of any manufactory." R. L., *c.* 73, *s.* 16. The language used in H. B. 418: "raw materials and goods in process . . . of any manufactory," in substitution, is not thought to be so vague and indefinite as to be unsupportable.

The requirement of the Constitution is not violated by what is now proposed. While wholesalers and retailers will be exempt from a property tax upon their stock in trade, it is proposed to tax this property in the future by a tax upon its sale, paid directly by the consumer. Property in the marketing process is thus to be taxed but once, "and the event is fixed at the transfer from the retailer." *Opinion of the Justices,* 84 N. H. 559, 577. To impose another tax upon goods in the manufacturing process is not unjust, nor is it discriminatory. Manufactured goods are not necessarily sold within the state. If not, they would escape all taxation. To tax them by property tax during the process of manufacture, and again in different form, upon their transfer to the consumer, by sales tax, is not double taxation of the sort forbidden by the Constitution. "The taxation of personal property may sometimes necessarily involve duplicate taxation to a certain extent . . . But such indirect influence is not the double taxation which is unreasonable within the meaning of the constitution." *Opinion of the Justices,* 77 N. H. 611, 614. "The incidence of the two taxes is determined by separate and distinct factors." *Opinion of the Justices,* 84 N. H. 559, 577, *supra.* "Whether the . . . taxes shall be assessed to the consumer or to the manufacturer . . . are questions of convenience and expediency, and not of equality and legal right."

Morrison v. *Manchester,* 58 N. H. 538, 555. Question 1 (a) is answered in the negative.

Question 1 (e) relates to a section of the act the wording of which is somewhat difficult to follow. As we understand it, however, the question is raised whether it is constitutional to tax beverages consumed on the premises while not taxing those sold for consumption off the premises. The right of the state to control the sale and consumption of alcoholic beverages under both its police power and taxing power is more extensive than in the case of commodities thought to be less harmful and requiring less regulation. This control has been exercised fully from the earliest times. *State* v. *Holmes,* 38 N. H. 225; *State* v. *Corron,* 73 N. H. 434, 445. While this right to control under the police power and taxing power is not unlimited (*Manchester Press Club* v. *Commission,* 89 N. H. 442), there is no doubt that the state has wide discretion in taxing the sale and consumption of alcoholic beverages. All such beverages might be taxed. The reason for taxing beverages consumed on the premises and exempting others is not stated, but it is primarily a legislative question. *Morrision* v. *Manchester,* 18 N. H. 138, 554.

The *Opinion of the Justices,* 95 N. H. 546, dealt with the subject of the registration of sellers and the payment by them of the fee of one dollar. These measures received approval on pages 547, 548 as follows: "The provision contained in section 6 of the proposed act, that all sellers shall register with the Tax Commission and pay a fee of one dollar does not impose a tax upon sellers, but rather sets up the machinery for the administration of the law. Such registration may be sustained upon the same reasoning by which the filing of informatory inventories may be required of prospective taxpayers. The fee is a uniform contribution by all sellers to the cost of registration and as such appears to be necessary and proper. *Havens* v. *Attorney-General,* 91 N. H. 115, 120." However, a seller who proves not to be a retailer should in fairness be entitled to a refund of the fee when this fact is established.

Question 1 (b). The provisions in section 2 of the bill by which the State Tax Commission shall have the final determination of what constitutes finished products, are valid. The power to make this finding may properly be delegated to the Commission by the Legislature. "Such findings pre-

suppose investigations which obviously cannot be made by the Legislature and which may properly be delegated to a subordinate agency." *Opinion of the Justices,* 94 N. H. 510, 511. See also, *Musgrove* v. *Parker,* 84 N. H. 550, 552. In *Opinion of the Justices,* 96 N. H. ——, it was stated that the State Tax Commission could be constituted a board of appeal from the assessment of all taxes and tolls assessed and collected under its jurisdiction thereby doing away with the appeal to the Superior Court. Similarly, there can be no objection to making this Commission the final arbiter of the question of fact of what constitutes finished products.

Section 33 provides that the State Tax Commission may reserve, certify and transfer to this court for decision any question of law which may arise in connection with the administration of the chapter. Our understanding of this section is that it relates to questions of law that arise in the course of proceedings brought before the Commission for determination. The power given is for the purpose of adjudication and not for that of mere advice. Thus limited the provision is proper.

Question 1 (c). Our understanding of the proposed distribution under sections 34, 35 and 36 of the proposed chapter 79-B is that the purpose is to compensate the towns and cities for loss of revenue due to the repeal of certain taxes by the proposed measure. This is not what was considered to be a true appropriation in *Opinion of the Justices,* 94 N. H. 506, 510, and in *Opinion of the Justices,* 84 N. H. 559, 582. It is a distribution to compensate municipalities for losses due to the repeal of certain taxes. As such it is proper. *Opinion of the Justices,* 84 N. H. 559, 579; *Opinion of the Justices,* 88 N. H. 500, 507.

It is suggested that the formula for the distribution, the amount of taxes levied in 1950 under a law to be repealed may not correctly represent the losses to be sustained in future years. For practical purposes we are of the opinion that the distribution proposed is sufficiently near to compensation for losses to be borne to be a valid provision of the law. If it proves to be unfair in future years, the method of distribution may be changed. The validity of the tax is not thereby affected.

Question 1 (d). In *Opinion of the Justices,* 95 N. H. 546, the view was expressed that the provision that breakage be retained by the retailer as compensation for collecting a sales

tax was a proper aid in the administration of the law, but not constitutionally required. This duty of collection is similar to that of withholding taxes under the Federal Income Tax provisions. It is a public duty that need not be compensated. No tax is imposed on sales of twenty-nine cents or less, nor need the retailer account for any, because such sales are exempt under section 2 (4). Section 13. This provision is valid.

Section 3 of the proposed chapter 79-B provides for a tax on the storage, use, or other consumption, in this state of tangible personal property purchased at retail outside of the state. It is sustainable upon the ground that it is designed to prevent evasion of the proposed sales tax. *Kimball* v. *Badger*, 93 N. H. 345.

It is argued that paragraph IX of section 1 of the proposed chapter 79-B contains an unconstitutional inequality in that "sale price" does not include property that is traded in and intended for resale. This provision is in the interests of consistency. The tax is a tax on the consumer and section 1, II defines "retail sale" as "any sale . . . for any purpose other than for resale."

Under paragraph II of section 1 of the proposed chapter 79-B, the sale of capital goods is taxed, while no tax is levied on the sale of other tangible personal property used or consumed in the manufacturing, production, assembling, processing, refining, or merchandising of tangible personal property for sale by the purchaser. By definition, the tax does not apply to property used or consumed in the production of taxable goods, excepting capital goods so used. The further provision by which the tax does not apply to property which "does not appear in the finished product" adds nothing to the original definition, since such property is within the class of property used or consumed in manufacture.

To exempt from tax, goods immediately consumed in the process of manufacture of other goods, while taxing capital goods, expended but little in the immediate process, is not an irrational classification. Goods immediately consumed are fully reflected in the sale price of the goods into which they are converted, and hence taxed upon sale at retail. The cost of capital goods represents so small a portion of any specific retail sale price as to yield no appreciable part of the tax, and hence may properly be separately taxed when purchased by the manufacturer.

The questions contained in the second part of the resolution numbered 1 through 4 are deemed to have been answered in reply to the questions in the first part of the resolution.

In conclusion, we will repeat as applicable to the presently proposed bill what was stated in *Opinion of the Justices,* 94 N. H. 510, 512: "We have not undertaken to consider all the provisions of the bill in every detail to ascertain whether they may be objectionable in some minor respect. 'We do not conceive that it is our province to do so.' *Opinion of the Justices,* 84 N. H. 559, 564." It should be understood that we are not foreclosing any questions that may arise in the actual operation of the act which may not be apparent on its face under the questions submitted.

FRANCIS W. JOHNSTON,
FRANK R. KENISON,
LAURENCE I. DUNCAN,
AMOS N. BLANDIN, JR.,
EDWARD J. LAMPRON.

May 15, 1951.

Committee Reports

Mr. Swain of Barrington, for the Committee on Education, to whom was referred House Bill No. 337, An act to enable the school districts of Amherst, Brookline, Hollis and New Boston to establish a co-operative secondary school district, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Metcalf of Tilton, for the Committee on Fish and Game, to whom was referred House Joint Resolution No. 20, Joint resolution establishing a lobster fund, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend the joint resolution by inserting after the word "from" in the sixth line the word, lobster, so that said resolution as amended shall read as follows:

That the sum of eight thousand dollars ($8,000) is hereby appropriated for the year 1951 and a like sum for the year 1952 for the purpose of establishing a lobster fund for the pro-

tection of the lobster industry of the state. Said fund shall be administered by the fish and game department. All monies collected from lobster license fees and fines shall be paid into this fund, and all expenses connected with the administering of this chapter shall be paid from this fund. The governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

The report was accepted, the amendment adopted, and the bill referred to the Committee on Appropriations under the rules.

Mr. Pelletier of Nashua, for the Committee on Judiciary, to whom was referred House Bill No. 414, An act relative to allegations in divorce proceedings, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Pickett of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 424, An act relative to parole of prisoners, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Philbrick of Rye, for the Committee on Public Welfare and State Institutions, to whom was referred House Bill No. 219, An act relating to public welfare department, reported the same with the amendment as printed in the Journal of May 9th, and recommendation that the bill as amended ought to pass.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 19, An act relative to military leave for state employees.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relative to military leave for state and municipal employees.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *State Employees.* Amend section 20-a of chapter 27 of the Revised Laws, as inserted by chapter 109 of the Laws of 1947, by striking out said section and inserting in place thereof the following: 20-a. *Military Leave.* Any regular employee of the state of New Hampshire who is a member of any reserve component of the armed forces of the United States or of this state, shall, upon request, be entitled to not more than fifteen consecutive calendar days leave of absence with pay in any one twelve months' period, for the purpose of engaging in military drill, training, or other temporary duty under military or naval authority.

Further amend said bill by inserting after section 1 the following new section:

2. *Municipal Employees.* Amend chapter 27 of the Revised Laws by inserting after section 20-a the following new sections: 21. *Military Leave.* All political sub-divisions of the State are hereby empowered and authorized to grant an annual military leave, with or without pay or with partial pay, to employees of such political sub-divisions, in conformity with the provisions of section 20-a.

22. *Duties of Adjutant General.* The adjutant general of the State of New Hampshire is hereby authorized and directed to encourage private employers, in the interests of national defense and the military security of this state, to grant military leave privileges to their employees comparable to the military leave privileges established and authorized for public employees by the provisions of section 20-a and 21 of this chapter.

Further amend said bill by renumbering section 2 to read section 3.

On motion of Mr. Black of Bennington the House concurred in the Senate amendment.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 172, An act relative to prohibited equipment while hunting wild birds and wild animals.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relative to prohibited equipment while hunting wild birds and wild animals.

Amend section 1 of said bill by striking out the words "on land frequently inhabited by game" in the eleventh line so that said section as amended shall read as follows:

1. *Prohibition.* Amend Revised Laws, chapter 242, section 6 by striking out in the twelfth line the word "game" and substituting the words, wild animals, and in line thirteen, after "22 cal." add, rimfire, so that said section shall read as follows:

6. *Possession of Jacks, Etc.* No person shall have in his possession any jack or artificial light, swivel, pivot or set gun while hunting wild birds or wild animals, including unprotected birds and wild animals on which a bounty may be paid. Any person convicted of illegal night hunting shall forfeit such firearms, jacks, or any other equipment used or usable in the illegal night hunting at the time of such violation, including any vehicle in which the same is beng transported. The deliberate use of an artificial light between one-half hour after sunset and one-half hour before sunrise to illuminate, jack, or to show up wild animals by a person having in his possession a rifle larger than a 22 cal. rimfire or shotgun with shot larger than No. 4, either in the gun, on the person, or in an automobile, boat, airplane or other craft propelled by mechanical power, shall be sufficient evidence of illegal night hunting. Nothing herein contained shall be construed to prohibit the use of lights for hunting raccoon as permitted in section 3, chapter 244.

On motion of Mr. Remick of Tamworth the House concurred in the Senate amendments.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to concur with the House of Representatives in its amendment to the following entitled bill:

Senate Bill No. 19, An act relating to duties of the director of accounts.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 232, An act relative to taking fish from lakes, ponds and rivers partly in another state.

House Bill No. 333, An act relating to the registration fee for private non-commercial landing areas.

House Bill No. 351, An act relative to the taxation of natural gas pipe lines.

House Bill No. 357, An act relative to reimbursement of municipalities of expense of audit by state tax commission.

House Bill No. 96, An act relative to a certain road and bridge in the town of Thornton.

The message further announced that the Senate had voted to non-concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 110, An act relative to the salary of the special justice of the municipal court of Dover.

House Bill No. 300, An act validating certain town meetings in the town of Newport.

House Bill No. 384, An act relative to setting safety standards for buildings.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 73, An act relating to the use of construction equipment.

Senate Bill Read and Referred

Senate Bill No. 73, An act relating to the use of construction equipment.

Read a first and second time, and referred to the Committee on Public Works.

Concurrent Resolution

Mr. Angus of Claremont offered the following concurrent resolution:

Concurrent resolution providing for a committee to study ways and means of improving the unified personnel system.

Resolved by the House of Representatives, the Senate concurring:

That a committee of five members be appointed as hereinafter provided to study ways and means of improving the unified personnel system. Said committee to consist of the director of personnel, who shall serve as chairman, and four persons to be appointed by the governor with the advice and consent of the council; of said four persons, two shall represent the American Federation of Labor and two shall represent the state employees' association. Said committee shall endeavor to develop improvements which will make the salaries of state employees more consistent with those paid by private industry and to make adjustments so that the salaries of employees will be more equitable and shall hold at least two public hearings for this purpose. The members of said committee may consult competent experts to further their study and assist them in their conclusions. The committee shall report its findings and recommendations in writing to this session of the legislature together with a draft of any bills it may recommend.

The concurrent resolution was accepted and referred to the Committee on Executive Departments and Administration.

On motion of Mr. Wadleigh of Milford the rules were suspended, and business in order at 3:00 o'clock was made in order at the present time, and the third readings of bills were read by their titles, only.

Third Readings

House Bill No. 219, An act relating to public welfare department.

House Bill No. 414, An act relative to allegations in divorce proceedings.

House Bill No. 424, An act relative to parole of prisoners.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of Mrs. Lareau of Manchester at 11:32 o'clock the House adjourned.

WEDNESDAY, MAY 16, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

Almighty God, Sovereign Ruler of the universe, as we behold Thy majesty in all about us, help us to believe that in human existence and endeavor, in its hopes and in its fears, in peace and in war, in prosperity and in adversity, there is a ruling providence unto a wise end. Enable us to more fully understand that not only things but individuals are guided by, and obey, an unseen but Almighty Power. As we face the task of the day, may we not merely look upon it as a duty to be performed, but may we ask: "Is Thy will being done in its accomplishment?" Help us to turn the daily tasks of life into devotion to Thee. Amen.

Leaves of Absence

Mr. Hambleton of Goffstown was granted leave of absence for the day on account of important business.

Mr Fernald of Rochester was granted leave of absence for Wednesday and Thursday on account of important business.

Engrossed Bills

Mrs. Corliss of Manchester, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 357, An act relative to reimbursement by municipalities of expense of audit by state tax commission.

Senate Bill No. 19, An act relating to duties of the director of accounts.

The report was accepted.

Committee Reports

Mr. Powell of Sutton, for the Committee on Education, to whom was referred House Bill No. 273, An act relative to the state share of the salaries of superintendents of supervisory unions, having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Putney of Andover, for the Committee on Fish and Game, to whom was referred House Bill No. 92, An act relative to division of the state for taking wild deer, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by inserting after the words "Vermont boundary" in the ninth line the words, to the crossing of Moose River, thence easterly along said river to its junction with the Androscoggin river, thence easterly along said river; further amend said section by striking out the word "fifteenth" where it occurs in the thirteenth line and inserting in place thereof the word, twentieth, so that said section as amended shall read as follows: 1. *Wild Deer.* Amend section 3 of chapter 242 of the Revised Laws, as amended by chapter 191 of the Laws of 1943, chapter 168 of the Laws of 1945 and chapter 268 of the Laws of 1949, by striking out said section and inserting in place thereof the following: 3. *Taking; Time.* Wild deer, outside game preserves, may be hunted and taken from one-half hour before sunrise to one-half hour after sunset in that part of the state which lies north of the main highway known as United States Route No. 2 from the Vermont boundary to the crossing of Moose river, thence easterly along said river to its junction with the Androscoggin river, thence easterly along said river to the Maine boundary through the towns of Lancaster, Jefferson, Randolph, Gorham and Shelburne from October twentieth to November thirtieth, and in that part of the state which lies south of the above described line from November twentieth to December twentieth, except that no deer shall be hunted or taken at any time on any island or in any waters in lakes and ponds.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Washburn of Bartlett spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

On motion of Mr. Spaulding of Hudson the rules were suspended to allow third reading and final passage at the present time.

The bill was read a third time and passed, and sent to the Senate for concurrence.

Reconsideration

Mr. Spaulding of Hudson moved that the House reconsider its vote whereby it passed House Bill No. 92.

On a *viva voce* vote the motion to reconsider did not prevail.

Mr. Putney of Andover, for the Committee on Fish and Game, to whom was referred House Bill No. 302, An act relative to lobster pots, having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Green of Rollinsford, for the Committee on Municipal and County Government, to whom was referred Senate Bill No. 50, An act to give small towns representation on county conventions when not entitled to representation in the House, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. Amend section 5 of chapter 44 of the Revised Laws, as amended by section 1 of chapter 172, Laws of 1945 by striking out said section and inserting in place thereof the following: 5. *Members.* The county convention shall consist of the representatives of the towns of the county, and one member from each town which shall not then have a representative who shall be qualified, nominated and elected in the same manner as are representatives to the general court. At the first regular meeting which shall be convened on the second Wednesday of each biennial session of the General Court, or some other day in the same week, the county convention shall choose a chairman and clerk, both of whom shall be representatives, and an executive committee. The

chairman and the clerk of the convention shall be members of the executive committee ex officio.

2. Amend section 20-a of said chapter 44 as inserted by section 2 of said chapter 172 by striking out said section and inserting in place thereof the following: 20-a. *Meetings.* The chairman of the convention may call such further regular meetings of the county convention to be held at the State House in Concord during each biennial session of the General Court as are necessary and proper for the conduct of its business, and notice of such meetings shall be sufficient when printed for two legislative days in the Journal of the House of Representatives. The members of the county convention who are not representatives shall be entitled to receive the same compensation and travel expenses for actual attendance at regular meetings as is provided for attendance at special meetings in section 18 of this chapter, to be paid from the county treasury.

3. Further amend said chapter 44 by inserting after section 20-a the following section: 20-b. *Meetings of Executive Committee.* The chairman of the convention may call meetings of the executive committee to be held at any time either at the State House in Concord or at any place within the respective county. The members of the executive committee shall be entitled to the same compensation and travel expenses for actual attendance at such meetings as is provided for attendance at special meetings of the convention in section 18 of this chapter, to be paid from the county treasury, provided that no such compensation and expenses shall be allowed when such meeting is held at the State House in Concord.

4. *Takes Effect.* This act shall take effect upon its passage, provided however, that no members of county conventions from towns not entitled to representatives shall be seated until after their nomination and election in the primary and biennial elections of 1952, nor until the first regular meetings of the county conventions in January of 1953.

The report was accepted, the amendment laid upon the table to be printed under Rule No. 48.

Mr. Gardner of Littleton, for the Committee on Municipal and County Government, to whom was referred House Bill No. 401, An act relative to supplying employment, deputizing and

uniforming jailers in the county jails and houses of correction, and consolidation of certain jails, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Sterling of Hillsborough, for the Committee on Public Works, to whom was referred House Joint Resolution No. 11, Joint resolution providing for the erection of a retaining wall along the Cocheco River in Rochester, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mrs. Winters of Rochester moved that the words, ought to pass, be substituted for the report of the committee, inexpedient to legislate.

The question being on the motion to substitute the words, ought to pass.

(Discussion ensued)

Mesdames Winters, Studley and St. Pierre of Rochester, and Messrs. Chandler of Warner and Pickett of Keene spoke in favor of the motion.

Messrs. Ingham of Winchester and Moore of Bradford spoke against the motion.

On a *viva voce* vote the motion to substitute did not prevail.

Question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mrs. Fontaine of Berlin, for the Special Committee consisting of the members from the city of Berlin, to whom was referred House Bill No. 362, An act relative to ward lines of the city of Berlin, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mrs. Brungot of Berlin moved to substitute the words,

ought to pass, for the resolution of the committee, inexpedient to legislate.

The question being on the motion to substitute the words, ought to pass.

(Discussion ensued)

Mrs. Brungot of Berlin spoke in favor of the resolution.

Mr. Sheridan of Berlin moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Mr. Sheridan of Berlin spoke in favor of the motion.

Mrs. Brungot of Berlin, Messrs. Means of Milan, and Sanborn of Wakefield spoke against the motion.

Mr. Chandler of Warner moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

Mr. Pillsbury of Manchester asked for a division.

A division being had, 147 members having voted in the affirmative, and 169 members having voted in the negative, the motion to indefinitely postpone did not prevail.

Mr. Sanborn of Wakefield demanded the Yeas and Nays, and the roll was called with the following result:

Yeas, 155

CARROLL COUNTY: Washburn, Downs, Nickerson, Knox, Remick, Hodgdon, McHugh.

MERRIMACK COUNTY: Moore, Dodge, Ferrin, Corbett, Nawn, Sawyer of Concord, Burke, Charland, Beale, DuDevoir, Lea, Sawyer of Wilmot.

HILLSBOROUGH COUNTY: Farwell, Poore, Cummings of Lyndeborough, Connor, Dwyer, Martel, Sweeney, Fitzgerald, Kean, Nolan, Betley, Ellis, Healy of Manchester, Ward 5, Proulx, Casey, Cavanaugh, Clancy, Ecker, Healy of Manchester, Ward 6, Zyla, Downey, Marcoux, Sullivan of Manchester, Constant, Delisle, Kane, Cary, Gagnon, Auger, Getz, Kearns, Roche, Roukey, Lareau, Soucy, Vaillancourt, Daniel, Gauthier, Thibodeau, Cannon, Donnelly, Wedick, Falconer, Underhill,

Boire, Belcourt, Brosnahan, Cote, Marquis, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Chartrain, Dupont, Ryan, Cormier, Grandmaison, Janelle, Pelletier of Nashua, Ward 8, Bouthillier, Pelletier of Nashua, Ward 9, Mailloux, Barry, Hines.

CHESHIRE COUNTY: Maloney, O'Neil of Keene, Bennett, Pickett, Worcester.

SULLIVAN COUNTY: Angus, Millar of Claremont, Baron of Claremont, Bailey, Pierce, Gamsby.

GRAFTON COUNTY: Gingras, Willey, Avery, Grass, McMeekin, Jones, Griffin of Lincoln, Gardner, Pushee, Burrill, Howard, Barney, Anderson, Sawyer of Woodstock.

COOS COUNTY: Dussault, Hinchey, Moffett, Shields, Desilets, Henderson of Berlin, Sheridan, Sullivan of Berlin, Bouchard, Fontaine, Laforce, Roy of Berlin, Fraser, Stinson.

ROCKINGHAM COUNTY: Gay, Fecteau, Eastman, McNeil, McCaffery, Sheehy, Labranche of Newmarket, Sewall, Pinkham, Dondero, Leary, Smart, Ingraham of Portsmouth, Philbrick, Durkee, Waterhouse.

STRAFFORD COUNTY: Shaheen, Carroll, Flanagan, Caldwell, Smith of New Durham, Dustin, Winters, Lacasse, St. Pierre, Lagueux, Cater, Malley.

BELKNAP COUNTY: Perkins of Alton, Osborne, Simoneau, O'Shan.

Nays, 172

CARROLL COUNTY: Benson, Hill, Morey, Lamprey, Sanborn.

MERRIMACK COUNTY: Putney, Ellsworth, Vogel, Tebbetts, Loiselle, Blodgett of Concord, Ward 4, Tobey, Hurd, Perkins of Concord, O'Neil of Concord, Tilton of Concord, Freeman of Concord, Greene of Concord, Blodgett of Concord, Ward 8, Sargent, Towle, Chase of Franklin, Ayotte, Maxwell, Davis of Hopkinton, Milligan, Wilman, Ferguson, Powell, Chandler.

HILLSBOROUGH COUNTY: Holmes, Wilson, French of Bedford, Black, Reed, Doonan, English, Crosby, Sterling, Abbott, Spaulding of Hudson, Corliss, Kennedy of Manchester, Petti-

grew, Danforth, Geisel, Pillsbury, Peaslee, Nelson, Wadleigh, Cooper, Ramsdell, Record, Maynard of Nashua, Ward 3, Ashley of New Ipswich, Bass, French of Weare.

CHESHIRE COUNTY: Burnham, Jackson, Miller of Fitzwilliam, Rathbun of Harrisville, Walker, Perry of Jaffrey, Spofford, Kirk, Landers, Wheeler, Erwin, Codding, Turner, Sherwin, Kershaw, Lang, Billings, Ingham of Winchester.

SULLIVAN COUNTY: Frizzell, Converse, Bissonett, Marcotte of Claremont, Carter of Cornish, Perry of Newport, Rowell, Vaughan, Callum.

GRAFTON COUNTY: Chamberlin of Bath, Plumer, Clarke of Canaan, Lorden, Williams, Atkins, Fuller, Holden of Hanover, Chamberlin of Haverhill, Sleeper, Adams, Ashley of Lebanon, Cole, Randall, Collins of Lisbon, Kelley, Martin of Littleton, Skinner, Bell, Huckins, Horner, Woodward, Gilbert.

COOS COUNTY: Brungot, Rines, Gould, Oakes, Emerson, Kimball, Evans, Simonds, Means, Hilliard, Placy, Taylor.

ROCKINGHAM COUNTY: Tuttle, Griffin of Auburn, Wastcoat, Darbe, Lindahl, Clark of Derry, Hepworth, Freeman of East Kingston, Eldredge, Kendall, Rathbone of Exeter, Richards, LeComte, Bonney, Putnam, Ring, Thurlow, Hall of Londonderry, Holden of Newington, Wells, Carter of No. Hampton, McDaniel, Colcord, Sukeforth, Durell, Foote, Yeaton, Bluitte, Haigh, Scamman.

STRAFFORD COUNTY: Swain, Chase of Dover, Felker, Fellows, Crandall, Locke of Dover, Henderson of Durham, Horne, Maxfield, Studley, Leach, Green of Rollinsford.

BELKNAP COUNTY: McAllister, Weeks, Hart of Laconia, Tilton of Laconia, Ward 3, Keller, Tilton of Laconia, Ward 4, Brown of Laconia, Smith of Meredith, Matthews, Atwood, Metcalf.

And the motion to indefinitely postpone did not prevail.

The question being on the motion to substitute the words, ought to pass.

On a *viva voce* vote the motion to substitute the words, ought to pass, prevailed.

Mr. Sheridan of Berlin demanded the Yeas and Nays, but subsequently withdrew his demand.

The bill was ordered to a third reading.

Reconsideration

Mrs. Studley of Rochester moved to reconsider the vote whereby the House voted inexpedient to legislate House Joint Resolution No. 11.

The question being on the motion to reconsider.

(Discussion ensued)

Mrs. Studley of Rochester spoke in favor of the motion.

Mr. Moore of Bradford spoke against the motion.

On a *viva voce* vote the motion to reconsider did not prevail.

Mrs. Studley of Rochester asked for a division.

A division being had, 135 members having voted in the affirmative, and 134 members having voted in the negative, the Speaker voted in the negative creating a tie vote, the motion to reconsider did not prevail.

Mrs. Studley of Rochester demanded the Yeas and Nays, and the roll was called with the following results:

Yeas, 201

STRAFFORD COUNTY: Chase of Dover, Shaheen, Fellows, Carroll, Crandall, Locke of Dover, Flanagan, Henderson of Durham, Caldwell, Dustin, Winters, Lacasse, St. Pierre, Studley, Leach, Green of Rollinsford, Lagueux, Cater of Somersworth, Malley, Brown of Strafford.

BELKNAP COUNTY: Perkins of Alton, McAllister, Weeks, Hart of Laconia, Simoneau, Tilton of Laconia, Ward 4, O'Shan, Brown of Laconia, Smith of Meredith, Matthews, Metcalf.

CARROLL COUNTY: Washburn, Benson, Downs, Hill, Nickerson, Lamprey, Hodgdon, McHugh.

MERRIMACK COUNTY: Dodge, Ferrin, Loiselle, Tobey, Hurd, Corbett, O'Neil of Concord, Greene of Concord, Blodgett of Concord, Ward 8, Nawn, Sargent, Beale, DuDevoir, Wilman, Powell, Chandler.

HILLSBOROUGH COUNTY: Holmes, French of Bedford, Black, Abbott, Spaulding of Hudson, Corliss, Kennedy of Manchester, Pettigrew, Danforth, Geisel, Dwyer, Martel, Sweeney, Fitzgerald, Kean, Nolan, Betley, Healy of Manchester, Ward

5, Proulx, Casey, Clancy, Ecker, Healy of Manchester, Ward 6, Zyla, Downey, Marcoux, Sullivan of Manchester, Delisle, Kane, Cary, Gagnon, Getz, Kearns, Roche, Roukey, Lareau, Soucy, Vaillancourt, Daniel, Gauthier, Thibodeau, Cannon, Donnelly, Wedick, Peaslee, Cooper, Ramsdell, Boire, Record, Belcourt, Maynard of Nashua, Ward 3, Brosnahan, Cote, Marquis, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Chartrain, Cormier, Janelle, Pelletier of Nashua, Ward 8, Bouthillier, Pelletier of Nashua, Ward 9, Bass, French of Weare, Barry, Hines.

CHESHIRE COUNTY: Miller of Fitzwilliam, Maloney, Walker, Perry of Jaffrey, Spofford, O'Neil of Keene, Landers, Codding, Turner, Pickett, Sherwin, Lang.

SULLIVAN COUNTY: Angus, Converse, Baron of Claremont, Bailey.

GRAFTON COUNTY: Chamberlin of Bath, Willey, Clarke of Canaan, Grass, Williams, Fuller, Holden of Hanover, Ashley of Lebanon, Cole, Griffin of Lincoln, Collins of Lisbon, Gardner, Kelley, Skinner, Barney, Anderson, Woodward, Gilbert, Sawyer of Woodstock.

COOS COUNTY: Dussault, Moffett, Shields, Desilets, Henderson of Berlin, Sheridan, Brungot, Sullivan of Berlin, Fontaine, Emerson, Fraser, Kimball, Means, Taylor.

ROCKINGHAM COUNTY: Tuttle, Lindahl, Gay, Hepworth, Freeman of East Kingston, Fecteau, Kendall, Rathbone of Exeter, Richards, Putnam, Eastman, Hall of Londonderry, McCaffery, Holden of Newington, Labranche of Newmarket, Sewall, Wells, Pinkham, McDaniel, Colcord, Davis of Portsmouth, Dondero, Sukeforth, Foote, Leary, Smart, Ingraham of Portsmouth, Scamman.

Nays, 123

STRAFFORD COUNTY: Swain, Felker, Horne, Smith of New Durham, Maxfield.

BELKNAP COUNTY: Osborne, Tilton of Laconia, Ward 3, Keller, Atwood.

CARROLL COUNTY: Morey, Knox, Remick, Sanborn.

MERRIMACK COUNTY: Putney, Ellsworth, Moore, Vogel, Tebbetts, Blodgett of Concord, Ward 4, Perkins of Concord,

Tilton of Concord, Freeman of Concord, Sawyer of Concord, Hadley, Towle, Chase of Franklin, Burke, Ayotte, Charland, Maxwell, Davis of Hopkinton, Milligan, Lea, Ferguson, Sawyer of Wilmot.

HILLSBOROUGH COUNTY: Wilson, Farwell, Poore, Reed, Doonan, English, Crosby, Sterling, Pillsbury, Ellis, Constant, Auger, Falconer, Nelson, Wadleigh, Underhill, Dupont, Ryan, Grandmaison, Ashley of New Ipswich, Mailloux.

CHESHIRE COUNTY: Burnham, Jackson, Rathbun of Harrisville, Kirk, Wheeler, Erwin, Kershaw, Worcester, Billings, Ingham of Winchester.

SULLIVAN COUNTY: Frizzell, Bissonnett, Millar of Claremont, Marcotte of Claremont, Carter of Cornish, Perry of Newport, Rowell, Vaughan, Pierce, Gamsby, Callum.

GRAFTON COUNTY: Gingras, Plumer, Avery, Lorden, Atkins, Chamberlin of Haverhill, McMeekin, Sleeper, Adams, Randall, Martin of Littleton, Pushee, Burrill, Howard, Bell, Huckins, Horner.

COOS COUNTY: Hinchey, Bouchard, Laforce, Roy of Berlin, Rines, Gould, Oakes, Evans, Simonds, Hilliard, Placy, Stinson.

ROCKINGHAM COUNTY: Griffin of Auburn, Darbe, Clark of Derry, Eldredge, LeComte, Bonney, Ring, Thurlow, McNeil, Sheehy, Carter of North Hampton, Durell, Yeaton, Bluitte, Philbrick, Haigh, Durkee, Waterhouse.

And the motion to reconsider prevailed.

The question being on the resolution of the committee, inexpedient to legislate.

Mrs. Studley of Rochester moved to substitute the words, ought to pass, for the resolution of the committee.

The question being on the motion to substitute.

(Discussion ensued)

Mrs. Studley of Rochester spoke in favor of the motion.

On a *viva voce* voce the motion to substitute the words, ought to pass, prevailed.

The bill was then referred to the Committee on Appropriations.

Mr. Brown of Laconia, for the Special Committee consisting of the members from the city of Laconia, to whom was referred House Bill No. 250, An act relative to the salaries of the city councilmen of Laconia, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1. *Councilmen.* Amend section 15 of chapter 241 of the Laws of 1893, as amended by section 3, chapter 200, Laws of 1901, chapter 192, Laws of 1903, section 3, chapter 213, Laws of 1903, section 2, chapter 291 of the Laws of 1911, and section 4, chapter 265 of the Laws of 1941, by adding at the end thereof the following: Each city councilman shall receive a salary of three hundred dollars per year payable in three equal instalments, so that said section as amended shall read as follows: Sect. 15. There shall be chosen biennially by and from the qualified voters of each of the several wards of said city one councilman to serve for the term of two years. Each city councilman shall receive a salary of three hundred dollars per year payable in three equal instalments.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *Takes Effect.* This act shall take effect as of March 27, 1951.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Reconsideration

Mr. Pickett of Keene moved to reconsider the vote whereby the House voted to substitute the words, ought to pass, to House Joint Resolution No. 11.

On a *viva voce* vote the motion to reconsider did not prevail.

Mr. O'Shan of Laconia, for the Special Committee consisting of the members from the city of Laconia, to whom was referred House Bill No. 251, An act relative to the salary of the mayor of Laconia, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1. *Mayor.* Amend section 14 of chapter 241 of the Laws of 1893, as amended by section 3, chapter 265 of the Laws of 1941, by striking out said section and inserting in place thereof the following: Sect. 14. The mayor of said city shall be chosen biennially, and shall have the same negative upon all the actions of the council as by the public statutes the mayors of cities are given upon the action of aldermen. He shall preside in the meetings of the city council, but shall have no vote except in case of an equal division. In his absence the council may elect one of their number chairman, who shall have all the powers and perform all the duties of mayor during his absence or disability, or during a vacancy in said office from any cause. The salary of the mayor shall be one hundred dollars a month, payable monthly, which shall be in full for his services and expenses. The mayor shall receive no other compensation from the city for, or in connection with, his official duties.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Sullivan of Manchester, for the Special Committee consisting of the members from the city of Manchester, to whom was referred House Bill No. 310, An act relative to highway commissioners for the city of Manchester, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The undersigned, a minority of the Special Committee consisting of the members from the city of Manchester, to whom was referred House Bill No. 310, An act relative to highway commissioners for the city of Manchester, and being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

W. J. KENNEDY, JR.,
EDWARD J. CAVANAUGH,
JOHN PILLSBURY,
WALTER CLARK FLANDERS,
MARION B. CORLISS,
JAMES PETTIGREW,
HARRY J. DANFORTH,
For the Minority of the Committee.

The report was accepted.

Mr. Cavanaugh of Manchester moved to substitute the minority report for that of the majority.

The question being on the motion to substitute the minority report.

(Discussion ensued)

Messrs. Cavanaugh, Kennedy and Pillsbury of Manchester spoke in favor of the motion.

Messrs. Sullivan, Ecker, Donnelly, Casey, Daniel, Gagnon, Martel and Healy, Ward 6 of Manchester, and Mrs. Dondero of Portsmouth spoke against the motion.

Mr. Durkee of Seabrook moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute the minority report for that of the majority.

On a *viva voce* vote the motion did not prevail.

Mr. Pillsbury of Manchester asked for a division.

A division being had, 134 members having voted in the affirmative, and 164 members having voted in the negative, the motion to substitute did not prevail.

Mr. Kennedy of Manchester demanded the Yeas and Nays, and the roll was called with the following results:

Yeas, 144

HILLSBOROUGH COUNTY: Holmes, Wilson, French of Bedford, Black, Poore, Reed, Abbott, Corliss, Kennedy of Manchester, Pettigrew, Danforth, Geisel, Pillsbury, Cavanaugh, Cooper, Ramsdell, Underhill, Record.

CHESHIRE COUNTY: Burnham, Dort, Jackson, Miller of Fitzwilliam, Rathbun of Harrisville, Kirk, Landers, Wheeler, Erwin, Codding, Turner.

SULLIVAN COUNTY: Frizzell, Converse, Perry of Newport, Rowell.

GRAFTON COUNTY: Chamberlin of Bath, Clarke of Canaan, Lorden, Grass, Fuller, Holden of Hanover, Chamberlin of Haverhill, McMeekin, Sleeper, Adams, Ashley of Lebanon, Cole, Collins of Lisbon, Kelley, Martin of Littleton, Skinner, Howard, Bell, Huckins, Horner, Woodward, Gilbert, Sawyer of Woodstock.

COOS COUNTY: Brungot, Rines, Gould, Emerson, Kimball, Evans, Simonds, Means, Christopher, Placy.

ROCKINGHAM COUNTY: Tuttle, Griffin of Auburn, Darbe, Lindahl, Clark of Derry, Gay, Hepworth, Freeman of East Kingston, Eldredge, Kendall, Richards, LeComte, Bonney, Merrill, Ring, Hall of Londonderry, Holden of Newington, Sewall, Wells, Carter of No. Hampton, Pinkham, McDaniel, Colcord, Sukeforth, Durell, Foote, Yeaton, Dame, Bluitte, Philbrick, Haigh, Durkee, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Chase of Dover, Fellows, Crandall, Locke of Dover, Horne, Smith of New Durham, Leach.

BELKNAP COUNTY: Perkins of Alton, McAllister, Weeks, Hart of Laconia, Tilton of Laconia, Ward 4, Smith of Meredith, Matthews, Atwood, Metcalf.

CARROLL COUNTY: Washburn, Benson, Hill, Morey, Nickerson, Lamprey, Knox, Hodgdon, Sanborn, McHugh.

MERRIMACK COUNTY: Moore, Vogel, Hurd, Saltmarsh, Tilton of Concord, Freeman of Concord, Greene of Concord, Blodgett of Concord, Ward 8, Sargent, Hadley, Chase of Franklin, Maxwell, Davis of Hopkinton, Milligan, Wilman, Young, Chandler.

Nays, 174

HILLSBOROUGH COUNTY: Farwell, Doonan, English, Crosby, Sterling, Connor, Dwyer, Martel, Sweeney, Fitzgerald, Kean, Nolan, Betley, Ellis, Healy of Manchester, Ward 5, Proulx, Casey, Clancy, Ecker, Healy of Manchester, Ward 6, Zyla, Downey, Marcoux, Sullivan of Manchester, Constant, Delisle, Kane, Cary, Gagnon, Getz, Kearns, Roche, Roukey, Lareau, Soucy, Vaillancourt, Daniel, Gauthier, Thibodeau, Cannon, Donnelly, Wedick, Peaslee, Falconer, Nelson, Wadleigh, Boire, Belcourt, Maynard of Nashua, Ward 3, Brosnahan, Cote, Marquis, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Chartrain, Dupont, Ryan, Cormier, Grandmaison, Janelle, Pelletier of Nashua, Ward 8, Bouthillier, Ashley of New Ipswich, Bass, French of Weare, Barry, Hines.

CHESHIRE COUNTY: Maloney, Walker, Perry of Jaffrey, Spofford, O'Neil of Keene, Pickett, Sherwin, Kershaw, Worcester, Lang, Ingham of Winchester.

SULLIVAN COUNTY: Angus, Bissonnett, Millar of Claremont, Baron of Claremont, Marcotte of Claremont, Carter of Cornish, Bailey, Vaughan, Pierce, Gamsby, Callum.

GRAFTON COUNTY: Gingras, Harrington, Plumer, Willey, Avery, Williams, Atkins, Jones, Randall, Griffin of Lincoln, Gardner, Pushee, Burrill, Barney, Anderson.

COOS COUNTY: Dussault, Hinchey, Moffett, Shields, Desilets, Henderson of Berlin, Sheridan, Sullivan of Berlin, Fontaine, LaForce, Roy of Berlin, Oakes, Fraser, Ellingwood, Hilliard, Stinson.

ROCKINGHAM COUNTY: Putnam, Thurlow, Eastman, McNeil, McCaffery, Sheehy, LaBranche of Newmarket, Dondero, Leary, Smart, Ingraham of Portsmouth.

STRAFFORD COUNTY: Shaheen, Felker, Carroll, Flanagan, Henderson of Durham, Caldwell, Dustin, Maxfield, Lacasse, St. Pierre, Studley, Green of Rollinsford, Lagueux, Cater, Malley.

BELKNAP COUNTY: Osborne, Keller, Brown of Laconia.

CARROLL COUNTY: Downs, Remick.

MERRIMACK COUNTY: Putney, Dodge, Ferrin, Tebbetts, Loiselle, Blodgett of Concord, Ward 4, Tobey, Perkins of Concord, Corbett, O'Neil of Concord, Nawn, Sawyer of Concord, Burke, Ayotte, Charland, Beale, DuDevoir, Lea, Ferguson, Powell, Sawyer of Wilmot.

Pairs

Mr. Towle of Epsom voting yes paired with Mr. Roy of Manchester voting no.

Mr. Simoneau of Laconia voting no paired with Mr. Tilton, Laconia, Ward 3, voting yes.

And the motion to substitute the minority report did not prevail.

The question being on the resolution of the committee that it is inexpedient to legislate.

Mr. Kearns of Manchester moved that the bill be indefinitely postponed.

On a *viva voce* vote the motion to indefinitely postpone prevailed.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 194, An act relative to examinations for public accounting.

House Bill No. 285, An act to regulate the practices of professional engineering.

The message also announced that the Senate had voted to non concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 392, An act relative to use of the flag of the United Nations.

On motion of Mr. Wadleigh of Milford the House adjourned from the morning session.

The House was immediately called to order in afternoon session.

Afternoon

On motion of Mr. Wadleigh of Milford the rules were suspended and the third readings of bills were read by their titles only.

Third Readings

House Bill No. 250, An act relative to the salaries of the city councilmen of Laconia.

House Bill No. 251, An act relative to the salary of the mayor of Laconia.

House Bill No. 362, An act relative to ward lines of the city of Berlin.

Severally read a third time and passed, and sent to the Senate for concurrence.

Reconsideration

Mr. Sanborn of Wakefield moved to reconsider the vote whereby the House passed House Bill No. 362.

On a *viva voce* vote the motion to reconsider did not prevail.

On motion of Miss Horner of Thornton at 3:05 o'clock the House adjourned.

THURSDAY, MAY 17, 1951

The House met according to adjournment.

Joint Convention

The Senate met with the House in joint convention.

Prayer was offered by the Chaplain.

Almighty Father, God of strength and Lord of mercy, we pray Thee for our loved ones now called into the service of our country. They walk in paths of danger. They sail the seas of uncertainty. They fly where wrath is like lightning. They are Thine. Keep them, O God, and bring them to us again, whole of body, clean of mind, ready of will and spirit. Above all, may they be kept in such faith and trust that they shall have devotion to high tasks, ready to keep themselves unspotted and their trust in Thee undefiled. Protect by Thy love and care those whom we love, the possessors of our dreams and hopes. And Thy name shall have all the praise. Amen.

Armed Forces Day Presentation
in the General Court
by the
NATIONAL GUARD OF NEW HAMPSHIRE
Thursday — 17 May 1951

On motion of Senator Otis of District No. 15 the convention rose.

House

Leaves of Absence

Messrs. Loiselle of Concord, Holden of Newington and Hambleton of Goffstown were granted leaves of absence for the day on account of important business.

Introduction of Bills

By the Committee on Rules, House Bill No. 431, An act for the extension of skiing facilities on the Cannon Mountain Franconia Notch State Reservation, and the establishment of the Roland E. Peabody Memorial Area. Referred to the Committee on Resources, Recreation and Development.

By the Committee on Rules, House Bill No. 432, An act relative to borrowing by Belknap County. Referred to the Special Committee consisting of the Belknap County Delegation.

By the Committee on Rules, House Bill No. 433, An act validating certain proceedings of the town of Marlborough. Referred to the Committee on Municipal and County Government.

By the Committee on Rules, House Joint Resolution No. 39, Joint resolution for the celebration of John Stark Day on August 9, 1952. Referred to the Committee on Military and Veterans' Affairs.

On motion of Mr. Perkins of Alton the rules were suspended to dispense with the printing of House Bill No. 432, An act relative to borrowing by Belknap County.

On motion of Mr. Turner of Keene the rules were suspended to dispense with the printing of House Bill No. 433, An act validating certain proceedings of tne town of Marlborough.

Engrossed Bills

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 172, An act relative to prohibited equipment while hunting wild birds and wild animals.

House Bill No. 194, An act relative to examinations for public accounting.

The report was accepted.

Recalled

On motion of Mr. Leach of Rochester Senate Bill No. 56, An act relative to motor vehicles owned by totally blind service connected veterans, was recalled from the Governor for further consideration.

(Mr. Bass of Peterborough in Chair)

Committee Reports

Mr. Sawyer of Concord, for the Committee on Judiciary, to whom was referred Senate Bill No. 79, An act abolishing trial justice courts, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Matthews of New Hampton, for the Committee on Judiciary, to whom was referred House Bill No. 78, An act relating to a committee to make rules and forms of the Probate Court, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Cooper of Nashua, for the Committee on Judiciary, to whom was referred House Bill No. 417, An act creating the New Hampshire Business Development Corporation, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 of said bill by inserting after the name "Swallow" in the tenth line the names, Frank J. Sulloway, Ernest M. Hopkins, so that said section as amended shall read as follows:

1. *Incorporators; Corporate Name; Powers and Privileges.* Wentworth Brown, Eugene B. Whittemore, Claude A. Putnam, Robert C. Erb, Avery R. Schiller, Richard C. Carrick, Laurence F. Whittemore, Huntley N. Spaulding, Sherman Adams, Arthur D. O'Shea, Arthur E. Moreau, Frank E. Kennett, Hervey Kent, Walter L. Barker, Howard Mitchell, James C. MacLeod, Harry J. Kelly, Harold I. Chandler, Harold A. Holbrook, George E. Harris, E. Ross Carver, Clinton W. Eastman, Edgar C. Hirst, Robert W. Upton, Donald F. D'Arcy, Merritt R. Langdell, Calvin Oakes, Joseph W. Epply, Lane

Dwinell, Dudley M. Orr, Wilbur Schurman, Andrew Christie, Eliot A. Carter, Marston Heard, William A. Kirn, George W. Swallow, Frank J. Sulloway, Ernest M. Hopkins and Charles F. Stafford, with their associates, successors and assigns, are hereby made a body corporate by the name of "New Hampshire Business Development Corporation," and as such corporation shall have the power to make suitable by-laws and rules, consistent with the general laws of the state, and elect such officers as it deems desirable to effect its corporate purposes, be possessed of all the powers, privileges and immunities conferred on business corporations by Chapter 274 of the Revised Laws as presently enacted or hereafter amended and shall be deemed to have been organized under the provisions of said chapter.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Janelle of Nashua moved that the rules be suspended, and the House reconsider its vote whereby it passed Senate Bill No. 41, An act relative to clerk hire in the office of the Hillsborough county sheriff.

Question being on the motion to suspend rules, and reconsider vote whereby Senate Bill No. 41 passed.

(Discussion ensued)

Messrs. Janelle of Nashua and Pillsbury of Manchester spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

On motion of Mr. Janelle of Nashua, the House reconsidered its vote whereby Senate Bill No. 41 was ordered to a third reading.

Mr. Janelle of Nashua offered the following amendment to Senate Bill No. 41.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Hillsborough County Sheriff's Office.* Amend section 28-a of chapter 380 of the Revised Laws as inserted by chapter 118 of the Laws of 1945 and as amended by section 1, chapter 171, Laws of 1947, by striking out said section and inserting in place thereof the following: 28-a. *Clerk Hire.* The sheriff of Hillsborough county shall employ such clerk hire as he deems

necessary. The salaries of said clerk or clerks shall be paid by the county, provided, however, that the amount of salaries so paid shall not exceed the amount appropriated by the county delegation for said clerk hire.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Resolutions

Mrs. Brungot of Berlin offered the following resolution:

In acknowledgment of the contribution made to the welfare of the United States, by Americans of Norwegian ancestry, I move that when the House adjourns today, it do so in recognition of Norway's Liberty Day, which is today, May 17, equivalent to our 4th of July.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended, business in order at 3:00 o'clock was made in order at the present time, and the third readings of bills were read by their titles, only.

Third Readings

Senate Bill No. 41, An act relative to clerk hire in the office of the Hillsborough county sheriff.

Read a third time and passed, and sent to the Senate for concurrence in the amendment.

Senate Bill No. 78, An act relating to a committee to make rules and forms of the probate court.

Senate Bill No. 79, An act abolishing trial justice courts.

Severally read a third time and passed, and sent to the Secretary of State to be engrossed.

House Bill No. 417, An act creating the New Hampshire Business Development Corporation.

Read a third time and passed, and sent to the Senate for concurrence.

On motion of Mr. Fecteau of Epping at 12:00 o'clock the House adjourned.

TUESDAY, MAY 22, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

Thou God of truth and honesty, keep us free from hypocrisy and dishonesty. May we respond wisely and unselfishly to the needs of those around us. May we labor for goodness here and now in our daily contact with others. As we profess brotherhood, may we be a brother to all. As we cherish freedom, may we restrain ourselves that we do not interfere with the rights and privileges of our fellows. As we cry for justice, may we practice fairness in all our relations and activities; and as we yearn for love to rule the world, may we be severe with our own faults and gentle with the failings of others. Through Jesus Christ, our Lord. Amen.

Leaves of Absence

Messrs. O'Neil of Keene and Loiselle of Concord were granted leaves of absence for the week on account of important business.

Mr. Brunel of Concord was granted leave of absence for the day on account of important business.

Engrossed Bills

Mrs. Corliss of Manchester, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 19, An act relative to military leave for state and municipal employees.

House Bill No. 371, An act relative to the bonding of officials of the University of New Hampshire.

House Bill No. 285, An act to regulate the practices of professional engineering.

The report was accepted.

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, to whom was referred House Bill No. 211, An act relating to auctions of jewelry, reported the same under Joint Rule No. 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 5 of said bill by striking out the same and inserting in place thereof the following:

5. *Application of Chapter.* Amend section 5 of chapter 173, Revised Laws, by striking out said section and inserting in place thereof the following: 5. *Exemption.* This chapter shall not apply to sales made by sheriffs, deputy sheriffs, constables, collectors of taxes, executors, administrators, guardians, conservators, mortgagees, assignees for the benefit of creditors, or by any person required by operation of law to sell personal property. This chapter shall not apply to any sales of antiques nor shall it apply to any sales of used goods which are not, at the time of sale or immediately prior thereto, part of the stock in trade of a retailer, wholesaler, or distributor of the class or classes of goods described in section 1.

On motion of Mr. Hurd of Concord the amendment offered by the Committee on Engrossed Bills was adopted.

The bill was then sent to the Senate for concurrence in the amendment.

Committee Appointed

The Speaker announced that he had made the following appointments from the House of Representatives to the committee authorized by House Joint Resolution No. 28, relating to purchase of automobiles by state employees and officials: Messrs. Leach of Rochester, Cummings of Colebrook, Kearns of Manchester.

Committee Reports

Mr. Tilton of Laconia, for the Committee on Appropriations, to whom was referred House Bill No. 410, An act relative to aeronautical appropriations, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass:

Amend said bill by striking out the word "extending" in the title thereof, so that said title as amended shall read as follows:

An act relative to aeronautical appropriations.

Further amend said bill by striking out all after the enacting clause and inserting in place thereof the following new sections:

1. *Appropriations Extended.* The unexpended balance of the amount appropriated by section 33 of chapter 306 of the

Revised Laws as inserted by section 10 of chapter 281 of the Laws of 1947 is hereby extended for a period of three years from the date of the passage of this act.

2. *Additional Appropriation.* The sum of eighty-five thousand three hundred fifty-one dollars is hereby appropriated for the purposes of airport development and improvement, which purposes shall include such related improvements, facilities, equipment and furnishings as are necessary to complete the same. Said eighty-five thousand three hundred fifty-one dollars may be expended pursuant to these purposes for the following airports: Berlin, Concord, Laconia, Lebanon, Portsmouth, Whitefield.

3. *Change in Amount.* Amend section 33 of chapter 306 of the Revised Laws as inserted by section 10, chapter 281, Laws of 1947, by striking out the words "one hundred fifty thousand dollars" in the second and eleventh and twelfth lines and inserting in place thereof the words, two hundred thirty-five thousand three hundred fifty-one dollars, and by striking out the words "equal matching of town funds for" in the third and fourth lines, so that said section as amended shall read as follows: 33. *Bonds or Notes Authorized.* The sum of two hundred thirty-five thousand three hundred fifty-one dollars is hereby appropriated to be used as needed for the purpose of the construction of airports, excluding the cost of land and buildings, under the Federal Aid Airport Program or for equal matching of town funds for the construction of airports, excluding the cost of land and buildings, by state contributions not in excess of five thousand dollars and to provide funds for said appropriation the state treasurer is hereby authorized under the direction of the governor and council to borrow upon the credit of the state not exceeding two hundred thirty-five thousand three hundred fifty-one dollars and for that purpose may issue bonds or notes in the name and on behalf of the state of New Hampshire. The treasurer shall recommend for the approval of the governor and council the form of such bonds, their rate of interest, the dates of maturity, the places where interest and principal shall be paid and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The proceeds of the sale of such bonds or notes shall be held by the treasurer and paid out by him upon warrants drawn by the governor for the purposes of

this act only, and the governor, with the advice and consent of the council, shall draw warrants for the payment from the funds provided for herein of all sums expended or due for the purposes herein authorized. Such bonds shall be negotiated by the treasurer by direction of the governor and council as they deem to be most advantageous to the state.

4. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted.

The amendments were laid upon the table to be printed under Rule No. 48.

Mrs. Cooper of Nashua, for the Committee on Judiciary, to whom was referred House Bill No. 166, An act relative to police chiefs, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Appointment of Police Chief.* Amend section 1 of chapter 422 of the Revised Laws by striking out said section and inserting in place thereof the following: 1. *Appointment.* The selectmen of a town or a town manager appointed under the provisions of chapter 55 of the Revised Laws, when such selectmen or their manager deem it necessary, may appoint police officers or constables, and they shall continue in office during the pleasure of the selectmen, or town manager until their successors are chosen, elected or appointed. Said selectmen or authorized town manager may designate and appoint a police officer as chief of police or superintendent and as such said police chief shall exercise authority over and supervise or superintend other police officers, police matrons, watchmen or constables appointed under the provisions of this chapter, and said police officers, police matrons, watchmen or constables shall be accountable and responsible to said chief of police. Nothing herein contained shall preclude or prevent a town from electing constables or police officers at its annual town meeting pursuant to the provisions of section 41, chapter 59, Revised Laws.

Further amend said bill by striking out sections 2, 3, and 4 and by renumbering section 5 to read section 2.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Miss Horner of Thornton, for the Committee on Municipal and County Government, to whom was referred House Bill No. 314, An act relative to voting by ballot at town meetings, having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Miss Horner of Thornton, for the Committee on Municipal and County Government, to whom was referred House Bill No. 397, An act relative to opening and closing election polls under the non-partisan ballot system and time for filings under said system, having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Miss Horner of Thornton, for the Committee on Municipal and County Government, to whom was referred House Bill No. 422, An act legalizing the annual meeting in the town of Mason, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Lareau of Manchester, for the Committee on Public Welfare and State Institutions, to whom was referred House Bill No. 420, An act establishing a program for prevention of juvenile delinquency and for the preservation of New Hampshire youth, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

Mr. Pickett of Keene moved that the bill be recommitted.

Question being on the motion to recommit.

(Discussion ensued)

Mr. Pickett of Keene spoke in favor of the motion.

Mr. English of Hancock spoke against the motion.

On a *viva voce* vote the motion to recommit did not prevail.

Question being on the resolution of the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Bass of Peterborough, for the Committee on Ways and Means, to whom was referred House Bill No. 429, An act imposing taxes on meals, bottled soft drinks and admissions, reported the same in new draft with the recommendation that the bill in its new draft be recommitted to the Committee on Ways and Means.

The report was accepted, the bill in its new draft read a first and second time, laid upon the table to be printed and referred to the Committee on Ways and Means.

Miss Horner of Thornton, for the Special Committee consisting of the Members from the County of Grafton, to whom was referred House Bill No. 360, An act dividing Grafton county into commissioner districts, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Black of Bennington, for the Committee on Military and Veterans' Affairs, to whom was referred Senate Bill No. 67, An act relative to service exemptions for members of armed forces during Korean emergency, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of the bill by striking out "members of armed forces during Korean emergency" and inserting in place thereof the word, Veterans, so that said title as amended shall read as follows:

Relative to Service Exemptions for Veterans.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1. *Korean Conflict.* Amend section 29, chapter 73 of the Revised Laws, as amended by chapter 174, Laws of 1943, by chapter 4, Laws of 1944, by chapter 240, Laws of 1947, and by section 1, chapter 167, Laws of 1949, by striking out said

section and inserting in place thereof the following: 29. *Service Exemption.* Every resident of this state who served not less than ninety days in the armed forces of the United States in any of the following wars or armed conflicts, the Spanish War, Philippine Insurrection, Boxer Rebellion, World War I, World War II or Korean Conflict, as hereinafter defined, who have been discharged or separated therefrom under conditions other than dishonorable, or the spouse of such resident, or the widow of such resident, and every resident, or the spouse of such resident, whose services were terminated for a service-connected disability, and the widow of any resident who suffered a service-connected death, in consideration of such service, shall be exempt each year from taxation upon his or her taxable property as assessed by the selectmen, to the value of one thousand dollars, provided such person and spouse do not own taxable property in this state, exclusive of *bona fide* encumbrances of record thereon, to the value of more than five thousand dollars. The following terms as used in this section shall be construed as follows:

(1) "Spanish War" between April 21, 1898 and April 11, 1899.

(2) "Philippine Insurrection" between April 12, 1899 and July 4, 1902 extended to July 15, 1903 for service in the Moro Provinces.

(3) "Boxer Rebellion" between June 16, 1900 and May 12, 1901.

(4) "World War I" between April 6, 1917 and November 11, 1918 extended to April 1, 1920 for service in Russia, provided that re-enlistment in military or naval service on or after November 12, 1918 and before July 2, 1921 where there was prior service between April 6, 1917 and November 11, 1918, shall be considered as World War I service.

(5) "World War II" between December 7, 1941 and December 31, 1946.

(6) "Korean Conflict" between June 25, 1950 and the cessation of hostilities.

The report was accepted.

On motion of Mr. Black of Bennington the rules were suspended, and further reading of the amendment was dispensed with.

The question being on the amendment.

(Discussion ensued)

Mr. Black of Bennington spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Green of Rollinsford, for the Committee on Municipal and County Government, to whom was referred Senate Bill No. 50, An act to give small towns representation on county conventions when not entitled to representation in the House, reported the same with the amendment as printed in the Journal of May 16, 1951, and the recommendation that the bill as amended ought to pass.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 289, An act relating to powers of the highway commissioner.

House Bill No. 289, An act relating to powers of the highway commissioner.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Powers of Highway Commissioner.* Amend section 7 of part 10 of chapter 90 of the Revised Laws as inserted by chapter 188, Laws of 1945, by striking out said section and inserting in place thereof the following: 7. *Powers.* The highway commissioner shall exercise general supervision, control, and direction, on behalf of the state, over all matters pertaining to the location, route alteration, construction, reconstruction, maintenance and discontinuance of highways constructed or maintained wholly or in part by money appropriated from the state treasury, including (a) the method and type of construction and kind and quality of materials to be used; (b) the manner in which such highways shall be maintained; (c) the designation of certain portions of such highways for one-way traffic, upon which vehicles shall proceed in

one direction only; (d) the designation of certain portions of such highways from which trucks in excess of a gross weight of twelve thousand pounds shall be excluded, provided, that no such designation shall prevent business operations in connection with stores, factories or any other business or industrial establishments, enterprises or warehouses along said highways; (e) the purchase, planting and maintenance of trees and shrubs for shade, landscaping or prevention of soil erosion; and (f) the location, construction and maintenance of roadside parks.

On motion of Mr. Ingham of Winchester the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 371, An act relative to the bonding of officials of the University of New Hampshire.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 60, An act relative to secretaries of supervisory unions.

Senate Bill No. 84, An act to restrict the cutting or gathering of seaweed, rockweed and sea moss.

Senate Bills Read and Referred

Senate Bill No. 60, An act relative to secretaries of supervisory unions.

Read a first and second time, and referred to the Committee on Education.

Senate Bill No. 84, An act to restrict the cutting or gathering of seaweed, rockweed, and sea moss.

Read a first and second time, and referred to the Committee on Fisheries and Game.

Resolutions

Mrs. Cooper of Nashua offered the following resolution:

Resolved, That permission be granted to the gentlemen to remove their coats, if they wish, during the extremely hot weather.

On a *viva voce* vote the resolution was adopted.

Mr. Underhill of Nashua offered the following resolution:

Whereas, we have learned with regret of the illness of Cyril J. Fretwell, Clerk of the House of Representatives, who has served in this capacity for many sessions, and is confined to the Veterans' Hospital in Manchester, therefore be it

Resolved, That we, the members of the House of Representatives, extend our sympathy to "Sid" in his illness and our best wishes for a speedy recovery, and be it further

Resolved, That a copy of these resolutions be transmitted to "Sid."

On a *viva voce* vote the resolution was adopted.

On motion of Mrs. Brungot of Berlin the rules were suspended to allow the afternoon business at the present time and that third readings of bills be by their titles only.

Third Readings

House Bill No. 166, An act relative to police chiefs.

House Bill No. 422, An act legalizing the annual meeting in the town of Mason.

Read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 50, An act to give small towns representation on county conventions when not entitled to representation in the House.

Senate Bill No. 67, An act relative to service exemptions for members of armed forces during Korean emergency.

Severally read a third time and passed, and sent to the Senate for concurrence in the amendment.

On motion of Mr. Normandin of Laconia at 11:40 o'clock the House adjourned.

WEDNESDAY, May 23, 1951

The House met according to adjournment.

Prayer was offered by Guest Chaplain Rev. Frederick A. Champion, of East Concord Congregational Church.

God of our Fathers, whose Almighty hand hath made and preserved our State, grant that we may appreciate its beauty and use aright its opportunities.

May we remember how bitterly our freedom was won, and how even now great sacrifices are being paid for our liberty.

Help us to remember we are the only nation in the world that came into being "for the glory of God and the advancement of the Christian faith," keep us true to this trust.

Give to these, thy servants, the representatives of the people of our State, the will to work together as a "team" for the welfare of all our people; give them courage to withstand pressure of the selfish, and give them wisdom and strength to overcome all pressure from without.

O God, for the sake of world peace, our own salvation, Thy grace and Thy help to do better and to be better, we pray in the Name of Christ. Amen.

Leaves of Absence

Mr. Hambleton of Goffstown was granted leave of absence for the day on account of important business.

Mr. Constance of Manchester was granted leave of absence for Wednesday and Thursday on account of important business.

Reconsideration

On motion of Mr. Thurlow of Hampton Falls, the House reconsidered its vote whereby House Bill No. 397, An act relative to opening and closing election polls under the non-partisan ballot system and time for filings under said system, was voted inexpedient to legislate.

On motion of Mr. Thurlow of Hampton Falls, House Bill No. 397 was recommitted to the Committee on Municipal and County Government.

Committee Reports

Mr. Putney of Andover, for the Committee on Fish and Game, to whom was referred Senate Bill No. 63, An act relative to issuance of fish and game licenses to blind persons, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Putney of Andover, for the Committee on Fish and Game, to whom was referred Senate Bill No. 66, An act relative to possession of wild deer, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Crosby of Hillsborough, for the Committee on Executive Departments and Administration, to whom was referred Concurrent resolution relating to unified personnel system, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Crosby of Hillsborough, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 132 (in new draft), An act to establish the rights and privileges of officers and employees of the state who enter into the armed forces of the United States, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 8 of the bill by striking out said section and inserting in place thereof the following:

8. *Reinstatement of Employees.* Any state employee who left or leaves to enter the armed forces of the United States shall be reinstated after such service in the armed forces, provided he makes application therefor within sixty days after his discharge from such service. In the event that any such state employee is discharged from the armed forces of the United States because of a physical disability which requires a period greater than sixty days but no longer than one year in which to recuperate to an extent which will render him physically qualified to resume his former state duties, upon application in writing to that effect (substantiated by a

certificate from a medical physician), filed with the appointing or employing authority of such person within a period of sixty days following discharge from the armed forces, the limiting period of sixty days specified in sections 7 and 8 of this act shall be extended to a period of not more than one year. No person shall be entitled to reinstatement in the event of his dishonorable discharge from such service in the armed forces of the United States. Under the provisions of this chapter any former employee of the state shall be entitled to all increases in compensation and to any within-department promotion or advantage which would have accrued to him had he continued in state service during the time of this service in the armed forces; provided, however, such employee shall have to his credit only the same number of days sick leave as had accrued to him at the time of his entry into the armed forces. If during the absence of such persons from the state service there has been any change in the organization of the department, board or commission, or other state agency in which the veteran was formerly employed, so that the position formerly held is no longer existent in fact, or if the position formerly held has become technically non-existent by reason of retitling, consolidation with another position or positions, or subdivision of responsibilities into other positions, the veteran shall, without undue delay, be entitled to appointment to a position in the reorganized department, board or commission, which shall in standing and status be equivalent to the position held by him prior to his entry into the armed forces of the United States and carrying compensation at no lesser rate.

The report was accepted and the amendment laid upon the table under Rule 48.

Reconsideration

On motion of Mr. Leach of Rochester the House reconsidered its vote whereby it passed Senate Bill No. 56, An act relative to motor vehicles owned by totally blind service-connected veterans.

On motion of Mr. Leach of Rochester the House reconsidered its vote whereby Senate Bill No. 56 was ordered to a third reading.

On motion of Mr. Leach of Rochester Senate Bill No. 56 was recommitted to the Committee on Transportation.

Public Hearing

On motion of Mr. Tilton of Laconia, Ward 4, the rules were suspended and public hearing on House Bill No. 432, An act relative to borrowing by Belknap county, was dispensed with.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 402, An act providing for tuition payments for handicapped children.

House Bill No. 404, An act relative to age requirements for the practice of nursing.

The message also announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill:

Senate Bill No. 41, An act relative to clerk hire in the office of the Hillsborough County Sheriff.

Resolutions

Mrs. Brungot of Berlin offered the following resolution:

Whereas, Mabel L. Richardson, doorkeeper of the House of Representatives and former Representative from Randolph, is ill in the hospital, therefore be it

Resolved, That we, the members of the House of Representatives, extend our sympathy to our Attache in her illness and our best wishes for a speedy return to health, and be it further

Resolved, That a copy of these resolutions be sent to Mrs. Richardson.

On a *viva voce* vote the resolution was adopted.

Mrs. Fontaine of Berlin offered the following resolution:

Whereas, we have learned of the death of Clara A. Lazure, Representative from Berlin for several sessions, therefore be it

Resolved, That we, the members of the House of Representatives of the New Hampshire Legislature, pay tribute to

our former fellow member for her services to her city and state and extend our deep sympathy to her family in its bereavement, and be it further

Resolved, That a copy of these resolutions be sent to her family.

On a *viva voce* vote the resolution was adopted.

Vote Recorded

Mr. Auger of Manchester announced that he wished to be recorded as voting No on the roll call vote pertaining to House Bill No. 310, An act relative to highway commissioners for the city of Manchester.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow the afternoon business at the present time and third readings of bills were read by their titles only,

Third Readings

Senate Bill No. 63, An act relative to issuance of fish and game licenses to blind persons.

Senate Bill No. 66, An act relative to possession of wild deer.

Severally read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Landers of Keene at 11:31 o'clock the House adjourned.

THURSDAY, MAY 24, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God of all conditions and emergencies of life, help us to appreciate, and give us the strength to meet, whatever the present day demands. May we have less of longing for bygone glories and a deeper desire and determination to make today the greatest and best day in the history of the world. Help us to ever remember that the founders and builders of our great nation were men of vision, who gave their all in their present

day to give their children and children's children a better land in which to live. Embue us, O God, with the courage and vision of our forefathers, that we may meet and conquer the difficulties of today that our children may have a better home tomorrow. Through Jesus Christ, our Lord. Amen.

Leaves of Absence

Miss Bailey of Newport was granted leave of absence for the day on account of important business.

Mr. Sherwin of Rindge was granted leave of absence for the day on account of failure of his automobile.

Introduction of Bill

The following bill was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules, House Bill No. 434, An act authorizing towns to form unions for the purpose of employing a town manager. To the Committee on Municipal and County Government.

Committee Reports

Mr. Nelson of Milford, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 50, An act relative to audit and post audit of state accounts, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Holden of Hanover moved to lay the bill on the table, and make it a special order for Tuesday, May 29, at 11:01 o'clock.

Question being on the motion of Mr. Holden.

(Discussion ensued)

Mr. Holden of Hanover spoke in favor of the motion.

Mr. McMeekin of Haverhill moved to amend the motion by including House Bill No. 207, An act relating to powers and duties of the comptroller, in Mr. Holden's motion for a special order for Tuesday, May 29, at 11:01 o'clock.

Question being on the amendment offered by Mr. McMeekin.

(Discussion ensued)

Mr. Holden of Hanover spoke against the motion.

Mr. Holden of Hanover moved to amend the amendment by laying House Bill No. 207 on the table and making it a special order for Tuesday, May 29, at 11:02 o'clock.

The amendment to the amendment was accepted by Mr. McMeekin.

Question being on the amendment of Mr. Holden.

On a *viva voce* vote the motion to lay House Bill No. 207 on the table to be made a special order for Tuesday, May 29, at 11:02 did not prevail.

The question being on the motion to lay House Bill No. 50 on the table and make it a special order for Tuesday, May 29, at 11:01 o'clock.

On a *viva voce* vote the motion did not prevail.

Mr. Cater of Somersworth asked for a division.

A division being had, 167 members having voted in the affirmative, and 118 members having voted in the negative, the motion to make House Bill No. 50 a special order for Tuesday, May 29, at 11:01 o'clock prevailed.

Mr. Griffin of Lincoln, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 207, An act relating to powers and duties of the comptroller, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Nelson of Milford moved that the bill be laid upon the table and made a special order for Tuesday, May 29, at 11:03 o'clock.

Question being on the motion of Mr. Nelson.

(Discussion ensued)

Messrs. Nelson of Milford and Holden of Hanover spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mr. Bennett of Keene, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 428, An act relative to the approval of bonds and sureties, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Smith of Meredith, for the Committee on Municipal and County Government, to whom was referred House Bill No. 353, An act relative to settlement of paupers, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the words "one year" in the third and sixth lines and inserting in place thereof the words, three years, so that said section as amended shall read as follows:

1. *Domicile.* Amend paragraph IX of section 1 of chapter 123 of the Revised Laws by striking out the words "five consecutive years" and inserting in place thereof the words, three years, so that said paragraph as amended shall read as follows: IX. Domicile. Any person of the age of twenty-one years who shall have had his domicile in any town in the state for three years shall thereby gain a settlement in such town.

Amend section 2 of the bill by striking out the words "one year" in the eighth and eleventh lines and inserting in place thereof the words, three years, so that said section as amended shall read as follows:

2. *Abandonment of Domicile.* Amend section 2 of chapter 123 of the Revised Laws by striking out the words "five consecutive years" and inserting in place thereof the words, three years, so that said section as amended shall read as follows: 2. *Abandonment of Domicile.* A former settlement shall be lost upon the abandonment for three years of the domicile by which the settlement was gained.

Amend section 3 of the bill by striking out the words "one year" in the fifteenth and eighteenth lines and inserting in place thereof the words, three years, so that said section as amended shall read as follows:

3. *Settlement Lost.* Amend section 8 of Chapter 123 of the Revised Laws by striking out the words "five consecutive years" and inserting in place thereof the words, three years, so that said section as amended shall read as follows: 8. *Settlement Lost.* Any settlement obtained under the provisions hereof shall be lost by any person who has been assisted as a pauper for three years.

Amend section 4 of the bill by striking out the word and figures "March 1, 1951" and inserting in place thereof the

word and figures, January 1, 1952, so that said section as amended shall read as follows:

4. *Takes Effect.* This act shall take effect January 1, 1952.

The report was accepted.

The question being on the amendment.

Mr. Willey of Campton moved to indefinitely postpone.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Messrs. Willey of Campton, Clarke of Canaan, Charland of Franklin, Pillsbury of Manchester, and Mesdames Brungot of Berlin and Dondero of Portsmouth spoke in favor of the motion.

Messrs. Smith of Meredith, Barry of Wilton, Perkins of Concord, Ayotte of Franklin, Scamman of Stratham and O'Shan of Laconia, and Mrs. Goodwin of Hollis spoke against the motion.

Mr. Reed of Goffstown moved the previous question.

The question being: Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the motion prevailed.

Mr. Green of Rollinsford asked for a division.

A division being had, 191 members having voted in the affirmative and 118 members having voted in the negative, the motion to indefinitely postpone prevailed.

Miss Horner of Thornton, for the Committee on Municipal and County Government, to whom was referred House Bill No. 433, An act validating certain proceedings of the town of Marlborough, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mrs. Jackson of Dublin, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 227, An act authorizing the sale of certain property of the state, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate. Subject matter covered by existing law.

The report was accepted, and the resolution of the committee adopted.

Mrs. Atwood of Sanbornton, for the Special Committee consisting of the members from the county of Belknap, to whom was referred House Bill No. 432, An act relative to borrowing by Belknap County, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Chandler of Warner, for the Committee on Public Works, to whom was referred Senate Bill No. 73, An act relating to the use of construction equipment, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend said bill by inserting after section 1 the following new section:

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Tilton of Laconia, Ward 3, for the Committee on Appropriations, to whom was referred House Bill No. 410, An act relative to extending aeronautical appropriations, reported the same with the amendment as printed in the Journal of May 22, 1951, and the recommendation that the bill as amended ought to pass.

The report was accepted.

The question being on the amendment.

Mr. Sanborn of Wakefield moved that the bill, with amendment pending, be recommitted to the Committee on Appropriations.

On a *viva voce* vote the motion prevailed and the bill was recommitted.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the

Senate asks the concurrence of the House of Representatives:

House Bill No. 168, An act to implement civil defense powers.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following section: 1. Amend chapter 177 of the Revised Laws by inserting after section 21 thereof the following section: 22. *Control of Explosives.* Whenever in his judgment the common defense of public safety of this state requires such action, the governor is hereby authorized to direct the adjutant general of this state to control the storage, sale, and use of explosives, except small arms ammunition, for the purpose of preventing such explosives from endangering the public safety by coming into the possession of unfriendly forces, domestic or foreign, and for the purpose of advising the military, naval, and civil defense authorities of this state of the quantities and location of such explosives for use in the common defense of this state. Upon the governor so directing, the adjutant general is hereby authorized to promulgate regulations requiring dealers to register their stocks and sales of such explosives, and requiring boards of firewards, police officers, or selectmen, as the case may be, to assist in such control measures as he shall institute in the exercise of this authority. No records of the location and amounts of explosives compiled by the adjutant general hereunder shall be deemed public records, but shall be subject to such security classification and restricted to such military, naval, and civil defense uses as the adjutant general, with the approval of the governor and council, may prescribe.

Amend section 2 of the bill by striking therefrom in its entirety the proposed section 5-a.

Further amend section 2 of the bill by amending the proposed section 5-b as follows: In line three, after the word "may," insert the following words, by warrant specifying the particular real property and the personal property by specification of the types, quantities, and general location thereof, together with the names of the owners where known, authorize the state director, by his agents, to

In line eighteen, after the word "situation," insert the following words, The person proposing to take possession of any such property in the name of the state shall present to the owner or person in possession or control thereof a copy of the

warrant under which he purports to act certified by the state director, and upon taking possession or control a receipt therefor specifically listing the property so taken and specifically referring to the warrant authorizing the taking.

In line twenty, striking out the word "damages" and insert in place thereof the words, fair and just compensation.

In line twenty-nine, strike out sub-title III and insert in place thereof the following: III. Any claimant aggrieved by the award made by the commission may appeal to the superior court from the decision within sixty days from the granting of the award, as in the case of petitions for the laying out of highways. All final awards or judgments entered against the state in such proceedings and the fees and expenses of said commission shall be promptly paid by the state treasurer, on warrant of the governor and council, from any money in the general fund of the treasury not otherwise appropriated.

In line forty-five, after the word "state" add the following subsection: V. Any person who shall willfully take possession of, or attempt to take possession of, property, purporting to act under this section but without authority to so act, whether by false pretense or otherwise, shall, upon conviction, be fined an amount not less than twice nor more than three times the value of the property taken or attempted to be taken (one half of which fine shall be paid to the owner of the property, the other half of which shall be paid to the county) or imprisoned not more than five years, or both.

Further amend section 2 of the bill by renumbering the proposed section 5-b as section 5-a.

The question being on the Senate amendments.

Mr. Black of Bennington moved that the House non-concur in the Senate amendments and that a Committee of Conference be appointed.

On a *viva voce* vote the motion to non-concur prevailed.

The Speaker appointed as members of such committee, on the part of the House, Messrs. Tilton of Ward 4, Laconia, Black of Bennington, and Pelletier of Ward 8, Nashua.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 211, An act relating to auctions of jewelry.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution, sent up from the House of Representatives:

House Bill No. 187, An act relating to payment of wages.

House Bill No. 263, An act forbidding employers to charge individuals a fee for a medical examination, as a condition of employment subject to certain restrictions.

House Bill No. 340, An act relative to unemployment compensation.

House Bill No. 407, An act relative to unemployment compensation and dealing with merit rating and the collection of overpayments in fraud cases involving other states.

House Bill No. 414, An act relative to allegations in divorce proceedings.

House Joint Resolution No. 37, Joint resolution for an investigation by judicial council into the payment of costs arising in certain criminal prosecutions.

The message further announced that the Senate had voted to non-concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 304, An act relative to the ballot-law commission.

The message also announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 68, An act to authorize housing authorities to undertake projects to assure the availability of dwellings for persons engaged in national-defense activities.

Senate Bill Read and Referred

Senate Bill No. 68, An act to authorize housing authorities to undertake projects to assure the availability of dwellings for persons engaged in national-defense activities.

Read a first and second time, and referred to the Committee on Public Works.

On motion of Mr. Wadleigh of Milford, the rules were suspended to allow business in order at 3:00 o'clock to be in order

at the present time, and the third reading of bills by their titles only, and that when the House adjourn today it be to meet Monday, May 28 at 11:00 o'clock.

Third Readings

House Bill No. 428, An act relative to the approval of bonds and sureties.

House Bill No. 432, An act relative to borrowing by Belknap County.

House Bill No. 433, An act validating certain proceedings of the town of Marlborough.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 73, An act relating to the use of construction equipment.

Read a third time and passed, and sent to the Senate for concurrence in the amendment.

On motion of Mr. Rhodes of Walpole at 12:40 o'clock the House adjourned.

MONDAY, MAY 28, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God, the Eternal Goodness, Who in Thy omniscience sees and understands all things and all conditions among Thy children; help us to a deeper faith in that Divine understanding and a more complete reconciliation to the words of Holy Writ: "All things work together for good to those who love Thee." O Lord, give us strength and wisdom to meet present day conditions with all their difficulties. Give us a trust in Thee and Thy support that will allay fear in the midst of calamity, that will keep us in the right when confusion and misunderstanding befogs the way; help us amid joy or bereavement, prosperity or adversity to find our satisfaction in affirming: "Thy will be done." Amen.

Leaves of Absence

Mr. Christopher of Northumberland and Miss Bailey of Newport were granted leave of absence for the week on account of important business.

Messrs. Tuttle of Atkinson and Bunten of Concord were granted leave of absence for the day on account of important business.

Mr. Clark of Derry was granted leave of absence for the week on account of illness.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Committee on Rules:

House Bill No. 435, An act to repeal charters of certain corporations. Referred to the Committee on Judiciary.

House Bill No. 436, An act relating to trial placing inmates at the industrial school. To the Committee on Public Welfare and State Institutions.

House Bill No. 437, An act relative to fees of registers of deeds. To the Committee on Municipal and County Government.

Engrossed Bills

Mrs. Shields of Berlin, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolution:

House Bill No. 187, An act relating to payment of wages.

House Bill No. 211, An act relating to auctions of jewelry.

House Bill No. 263, An act forbidding employers to charge individals a fee for a medical examination, as a condition of employment subject to certain restrictions.

House Bill No. 289, An act relating to powers of the highway commissioner.

House Bill No. 404, An act relative to age requirements for the practice of nursing.

House Bill No. 414, An act relative to allegations in divorce proceedings.

Senate Bill No. 41, An act relative to clerk hire in the office of the Hillsborough county sheriff.

Senate Bill No. 63, An act relative to issuance of fish and game licenses to blind persons.

Senate Bill No. 66, An act relative to possession of wild deer.

Senate Bill No. 67, An act relative to service exemptions for veterans.

Senate Bill No. 78, An act relating to membership of Committee to make rules and forms of the probate courts.

Senate Bill No. 79, An act abolishing trial justice courts.

House Joint Resolution No. 37, Joint resolution for an investigation by judicial council into the payment of costs arising in certain criminal prosecutions.

House Bill No. 180, An act relative to town manager plan.

House Bill No. 424, An act relative to parole of prisoners.

Committee Reports

Miss Woodward of Waterville, for the Committee on Education, to whom was referred Senate Bill No. 18, An act to establish a state council for teacher education, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2. *Members of Council.* The Council for Teacher Education shall consist of: the commissioner of education and the chairman of the department of education of the University of New Hampshire; three members appointed by them for terms not exceeding three years, one from a private educational institution, one from the professional personnel of the public schools and one layman; and the presidents of Keene and Plymouth teachers' colleges, or staff members designated by them; provided that additional members may be appointed by these seven for such terms as they may determine. Members of the council shall serve without compensation.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Putney of Andover, for the Committee on Fish and Game, to whom was referred House Bill No. 121, An act providing special fishing and hunting licenses for non-resident

property owners, reported the same with the rollowing resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Putney of Andover, for the Committee on Fish and Game, to whom was referred House Bill No. 272, An act relative to fees for licenses to hunt or fish, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Pickett of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 160, An act relating to real estate brokers and salesmen, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the last paragraph of section 1 of the bill by inserting after the word "administrator" in the fourth line the words, or their attorney, so that said paragraph as amended shall read as follows:

This chapter shall not be held to include an owner of real estate who sells or rents or offers to sell or rent his own property, nor to a trustee, guardian, bank or trust company, executor or administrator or their attorney, in the specific fulfillment of their duties as such, nor to any person selling or renting real estate under order from a court.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2. *Real Estate Commission.* There is hereby established a real estate commission to consist of the state insurance commissioner and two persons engaged in the business of selling real estate to be appointed by the governor with the advice and consent of the council. The term of each member shall be for two years and until a successor is appointed and qualified. Of the first two appointments one member shall be appointed for one year and one for two years. Vacancies shall be filled for the remainder of any term in the same manner. The governor shall designate the chairman.

Amend section 3 of the bill by striking out the word "ten" in the third line and inserting in place thereof the word, five, so that said section as amended shall read as follows:

3. *Qualifications; Expenses.* Members of the commission shall be real estate brokers of good repute in their respective communities who have been engaged as such for five or more years. They shall receive no compensation for their services, but shall be allowed their reasonable expenses while on business of the commission.

Amend section 5 of the bill by striking out the same and inserting in place thereof the following:

5. *Applications for License.* Applications for the licenses required by this chapter shall be made in writing to the commission, on such forms and in such manner and accompanied by such evidence in support of such application as shall be prescribed by the commission. In the case of resident brokers and salesmen, application for a license in the first instance shall be accompanied by the recommendations of two officers of banks or trust companies in the county in which such applicant resides certifying that the applicant bears a good reputation for honesty, competency, and fair dealing. In the case of non-resident brokers and salesmen, the application shall be accompanied by the recommendations of two officers of banks or trust companies, one of whom shall be a resident of New Hampshire and one of whom shall be a resident in the county in which the applicant resides. The application for a salesman's license shall be accompanied by a written statement of the employing broker stating that in his opinion the applicant is honest, competent and of good reputation. No license shall be issued to a person under twenty-one years of age.

Amend section 6 of the bill by striking out the word "may" in the third line and inserting in place thereof the word, shall, so that said section as amended shall read as follows:

6. *Issuing Licenses.* Upon being satisfied that the applicant is of good repute, reliable, suitable, and entitled to public confidence, the commission shall issue a license to such applicant in the capacity requested in the application. Licenses shall be issued for the period of one year and shall expire one year after date of issue.

Amend section 9 of the bill by striking out the same and inserting in place thereof the following:

9. *Non-Residents; Service and Process.* Every non-resident applicant shall file a stipulation appointing the chairman of the commission and his successor in office as his true and lawful attorney upon whom may be served all lawful process in any action or proceeding against him, and the authority given in such appointment shall continue in force so long as any liability to any resident of this state remains unsatisfied. Service of such process shall be accompanied by a fee of two dollars, and such service shall be sufficient, provided that notice thereof and a copy of the process are forthwith sent by registered mail by the plaintiff or his attorney to the defendant.

Amend section 10 of the bill by striking out the same and inserting in place thereof the following:

10. *Certificate and Card.* The commission shall prepare and issue to each licensee a pocket card and a certificate showing that a license has been granted. The certificate shall be conspicuously displayed within the licensee's place of business.

Amend section 12 of the bill by inserting after the word "period" in the third line the words, not exceeding one year, so that said section as amended shall read as follows:

12. *Revocation or Suspension.* After hearing and for cause shown the commission may revoke the license of any real estate broker or salesman or suspend the same for such period not exceeding one year as they may deem proper. Cause shall be based upon a finding that such licensee has been guilty of dishonest, deceitful, or fraudulent conduct in connection with his business as such broker or salesman, or upon the finding that such licensee is an unsuitable person or not entitled to public confidence.

Amend section 15 of the bill by striking out the word "thirty" in the fifth line and inserting in place thereof the word, sixty, so that said section as amended shall read as follows:

15. *Appeal.* The action of the commission in refusing, revoking or suspending or refusing to revoke or suspend, a license shall be subject to review by appeal to the superior court at the instance of the applicant or licensee, or the complainant, if any, within sixty days after the filing of the com-

mission's decision, in the county in which the applicant or licensee resides or has his principal place of business.

The report was accepted and the amendment was laid upon the table under Rule No. 48.

Mrs. Miller of Fitzwilliam, for the Committee on Transportation, to whom was referred Senate Bill No. 56, An act relative to motor vehicles owned by totally blind service-connected veterans, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1. *Motor Vehicles.* Amend chapter 116 of the Revised Laws by inserting after section 12-b as inserted by chapter 143 of the Laws of 1949 the following new section: 12-c. *Special Tags.* The commissioner shall furnish without charge for every motor vehicle owned by a veteran, who has been determined by the veterans' administration to be suffering from total blindness as a result of a service-connected disability, a card or tag which may be attached to the visor or otherwise of said motor vehicle so that it may be read through the windshield when said motor vehicle is parked. The commissioner shall determine the form, shape and color of said identification tag or card and shall also determine the information to be contained on said card. Any motor vehicle carrying the identification tag or card provided for herein shall be allowed free parking time in any city or town so long as said motor vehicle is under the direct control of the owner.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *Registration.* Amend section 1 of chapter 118 of the Revised Laws by inserting at the end thereof the following new paragraph: XIV. *Totally Blind.* No fee shall be charged for registering a motor vehicle owned by a veteran who has been determined by the veterans' administration to be suffering from total blindness as a result of a service-connected disability.

Amend section 3 of said bill by striking out the same and inserting in place thereof the following:

3. *Municipal Permits.* Amend chapter 116 of the Revised Laws by inserting after section 20-a, as inserted by sec-

tion 1, chapter 107, Laws of 1947, the following new section: 20-b. *Exception.* No fee shall be charged for a permit to register a motor vehicle owned by a veteran who has been determined by the veterans' administration to be suffering from total blindness as a result of a service-connected disability.

The report was accepted.

On motion of Mr. Leach the rules were suspended and further reading of the amendment was dispensed with.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Crosby of Hillsborough, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 132, (In new draft), An act to establish the rights and privileges of officers and employees of the state who enter into the armed forces of the United States.

Having considered the same, reported the same with the amendment as printed in the Journal of May 23, 1951, and the recommendation that the bill as amended ought to pass.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives.

House Bill No. 180, An act relative to town manager plan.

House Bill No. 380, An act relative to notification of so-called write-in candidates at the state primary.

House Bill No. 424, An act relative to parole of prisoners.

Resolutions

Mr. Perkins of Concord offered the following resolution:

Whereas, George L. Hurd, the member from Ward 5, Concord, first saw the light at Bellows Falls, Vt., on May 28, 1872, and has lived an exemplary life ever since, and

Whereas, he is today celebrating his 79th birthday an-

niversary, with the best wishes of his many friends and admirers, therefore

Be It Resolved, that we, the members of the 1951 House of Representatives, extend to him our most sincere wishes for many more such anniversaries, and our admiration in the knowledge that he has already renewed his driving license, which is more than some of us remember to do on our natal day, and

Be It Resolved, that a copy of these sentiments be stricken off in proper form, with the customary embellishments, and presented to the member from Concord.

On a *viva voce* vote the resolution was unanimously adopted.

Presentation

On behalf of the members of the House, Mr. Sanborn of Wakefield presented the Speaker with an inscribed gavel.

Resolution

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time and that third readings of bills be by their titles only.

Third Readings

House Bill No. 132, An act to establish the rights and privileges of officers and employees of the state who enter into the armed forces of the United States.

Read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 18, An act to establish a state council for teacher education.

Senate Bill No. 56, An act relative to motor vehicles owned by totally blind service-connected veterans.

Severally read a third time and passed and sent to the Senate for concurrence in the amendments.

On motion of Mr. Cormier of Nashua at 11:39 o'clock the House adjourned.

TUESDAY, MAY 29, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

Almighty God, our Leader and Protector, at this Memorial time when our thoughts turn to the builders and defenders of our great land; give us a deeper appreciation of the sacrifices that have been made that we might live in, and enjoy the freedom and opportunities of America. We thank Thee, our God, for those who fought to give us this freedom, and for those who died to preserve it. May we ever remember that we can erect no better memorial to those heroes of the past than to live for the principles for which they so nobly died. Amen.

Leave of Absence

Mr. Letourneau of Somersworth was granted leave of absence until further notice on account of illness.

Introduction of Bill

The following bill was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules, House Bill No. 438, An act to establish a new apportionment for the assessment of public taxes. To the Committee on Ways and Means.

Committee Reports

Mr. Tilton of Laconia, Ward 3, for the Committee on Appropriations, to whom was referred House Bill No. 410, An act relative to extending aeronautical appropriations, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass:

Amend said bill by striking out the word "extending" in the title thereof, so that said title as amended shall read as follows:

An act relative to aeronautical appropriations.

Further amend said bill by striking out all after the enacting clause and inserting in place thereof the following new section:

1. *Appropriations Extended.* The unexpended balance

of the amount appropriated by section 33 of chapter 306 of the Revised Laws as inserted by section 10 of chapter 281 of the Laws of 1947 is hereby extended for a period of three years from the date of the passage of this act.

2. *Change in Amount.* Amend section 33 of chapter 306 of the Revised Laws as inserted by section 10 of chapter 281 of the Laws of 1947, by striking out said section and inserting in place thereof the following: 33. *Bonds or Notes Authorized.* The sum of one hundred fifty thousand dollars is hereby appropriated to be used as needed for the purpose of supplementing town funds in such proportions as the aeronautics commission may determine for the construction of airports, excluding the cost of land and buildings, under the Federal Aid Airport Program or for equal matching of town funds for the construction of airports, excluding the cost of land and buildings, by state contributions not in excess of five thousand dollars. An additional sum of forty-five thousand dollars is hereby appropriated to be used as needed for such purposes for the Whitefield airport, provided that the governor and council approve the recommendations of the aeronautics commission that expenditures should be made for said purposes on the basis that anticipated revenues from the airways toll will be adequate to meet payments of principal and interest on bonds or notes issued under the provisions of this section. To provide funds for said appropriations the state treasurer is hereby authorized under the direction of the governor and council to borrow upon the credit of the state not exceeding one hundred ninety-five thousand dollars and for that purpose may issue bonds or notes in the name and on behalf of the state of New Hampshire. The treasurer shall recommend for the approval of the governor and council the form of such bonds, their rate of interest, the dates of maturity, the places where interest and principal shall be paid and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The proceeds of the sale of such bonds or notes shall be held by the treasurer and paid out by him upon warrants drawn by the governor for the purposes of this act only, and the governor, with the advice and consent of the council, shall draw warrants for the payment from the funds provided for herein of

all sums expended or due for the purposes herein authorized. Such bonds shall be negotiated by the treasurer by direction of the governor and council as they deem to be most advantageous to the state.

3. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted and the amendments laid upon the table under Rule No. 48.

Mr. Ferguson of Pittsfield moved that the rules be suspended, to dispense with the printing of the amendment as provided under Rule 48, and that the amendment be considered at the present time.

The question being on the motion of Mr. Ferguson.

(Discussion ensued)

Messrs. Ferguson of Pittsfield and Sanborn of Wakefield spoke in favor of the motion.

On a *viva voce* vote the motion as offered by Mr. Ferguson was adopted.

The question being on the amendment offered by the Committee on Appropriations.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

On motion of Mr. Sanborn of Wakefield the rules were suspended to allow third reading and final passage at the present time.

The bill was read a third time and passed and sent to the Senate for concurrence.

Mr. Crosby of Hillsborough, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 176, An act relative to veterans preference, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Holmes of Amherst, for the Committee on Execuive Departments and Administration, to whom was referred House Bill No. 186, An act to establish minimum hours of labor for employees in state service, reported the same with

the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An act to establish rates of pay for overtime work by persons in classified state service.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Basis for Overtime Pay.* All persons in the classified services of the state shall be paid, on the minute basis, at one and one-half times the hourly rate for all time worked in excess of eight hours in any one work day.

2. *Hours of Overtime Designated.* If the hours worked are not consecutive the overtime rate as designated in section 1 shall be paid for all time worked after ten hours from the time of first coming on duty in any one work day. "First coming on duty" shall be understood to mean the time in any work day at which the employee begins work after having been off duty at least eight consecutive hours.

3. *Takes Effect.* This act shall take effect July 1, 1951.

The report was accepted and the amendment laid upon the table under Rule 48 to be taken up Wednesday, June 6.

Mr. Reed of Goffstown, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 269, An act relating to the registration of architects, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by inserting after section 1 the following new section:

2. *Examinations.* Amend section 20 of said chapter 197 by striking out in the first, second and third lines the words "when oral or written examinations are required, they shall be held at such time and place as the board shall determine" and inserting in place thereof the words, oral or written examinations shall be held at least twice a year, at such times and places as the board shall determine, so that said section as amended shall read as follows: 20. *Examinations.* Oral or written examinations shall be held at least twice a year at such times and places as the board shall determine.

If examinations are required on fundamental architectural subjects (such as are ordinarily given in college curricula) the applicant shall be permitted to take this part of the professional examination prior to his completion of the requisite years of experience in architectural work. Satisfactory passage of this portion of the professional examination by the applicant shall constitute an examination credit for the ensuing ten years. The board shall issue to each applicant upon succesfully passing the examination in fundamental architectral subjects a certificate stating that he has passed the examination and that his name has been recorded as an architect-in-training. The scope of the examination and the methods of procedure shall be prescribed by the board with special reference to the applicant's ability to design and supervise architectural work so as to insure the safety of life, health and property. A candidate failing an examination may apply for re-examination at the expiration of six months and will be re-examined without payment of additional fee. Subsequent examination will be granted upon payment of a fee to be determined by the board.

Renumber section 2 to read section 3.

Further amend the bill by inserting a new section as follows:

4. *New Section.* Amend said chapter 197 by inserting after section 24 the following new section: 24-a. *Exception.* This act shall not be construed to prevent or to affect the practice of architecture, solely as an officer or an employer of a corporation engaged in interstate commerce.

Renumber section 3 to read section 5.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. McMeekin of Haverhill spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Crosby of Hillsborough, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 330, An act relating to veterans preference in

public employment, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by striking out section 1.

Further amend the bill by renumbering sections 2 and 3 to read sections 1 and 2.

The report was accepted and the amendment was laid upon the table, under Rule No. 48, to be taken up Wednesday, June 6.

Mr. Nelson of Milford, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 425, An act relative to liability under insurance policies issued to the state and municipal subdivisions thereof, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1. *Insurance Coverage, State and Municipal Subdivisions.* Amend chapter 329 of the Revised Laws by inserting after section 2 the following new section:

2-a. *Limited Liability.* Under all liability insurance policies written and issued to insure the state of any municipal subdivision thereof, the insuring company shall not plead as a defense the immunity granted to the state or municipal subdivisions thereof by law and shall be entitled to make only such defenses as could be made if the insured was a private corporation. The state or any municipal subdivision thereof which, as insured, has purchased and has in force a valid policy of liability insurance covering its governmental functions shall be liable for the negligence of its agents or servants acting in the course of its governmental functions and occurring while said policy is in force to an amount not exceeding the financial limits or coverage of any such liability insurance. The words "municipal subdivision" as used in this section shall include a county, city, town, village district or school district.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Putney of Andover, for the Committee on Fish and Game, to whom was referred Senate Bill No. 61, An act rela-

tive to hunting deer with bow and arrow, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The question being, Shall the bill be read a third time?

(Discussion ensued)

Messrs. Washburn of Bartlett, Moore of Bradford, and Nicoll of Bow spoke in favor of the question.

Mr. Brown of Laconia moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being, Shall the bill be read a third time?

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Putney of Andover, for the Committee on Fish and Game, to whom was referred House Bill No. 165, An act relating to setting traps, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Trapping.* Amend section 12 of chapter 244 of the Revised Laws by striking out said section and inserting in place thereof the following: 12. *Setting Traps.* No person shall set or arrange any trap upon any land of which he is not the owner or occupant, except such traps as may be placed under water from a boat or canoe on any natural pond of over ten acres or on the following named rivers: Androscoggin, Ammonoosuc, Ashuelot, Bear Camp, Contoocook, Connecticut, Cocheco, Mascoma, Merrimack, Merrymeeting, Isinglass, Pemmigewassett, Pine, Saco, Soucook, Suncook, and Winnipesaukee until he has secured from the owner or occupant a permit in writing signed by said owner or occupant, and until he shall have filed with the conservation officer in whose district said person is going to trap, a copy thereof, together with a description of the land on which trapping is to be done. All metal traps shall have stamped or engraved thereon, in a legible and permanent manner, the name of the person setting them. No person shall set or arrange any trap in a public way, cart road, or path, commonly used as a passageway by human beings or

domestic animals. No person shall set or arrange any trap in or under any bridge, ditch or drainage system, whether artificial or natural, within the limits of the right of way of any public highway.

Further amend said bill by adding a new section to read as follows:

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, and the amendment was laid upon the table under Rule No. 48, to be taken up Wednesday, June 6.

Mr. Putney of Andover, for the Committee on Fish and Game, to whom was referred House Bill No. 427, An act relative to use of coupons attached to hunting licenses, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Hunting License Deer Coupons.* Amend section 14 of chapter 242 of the Revised Laws by striking out said section and inserting in place thereof the following: 14. *Use of Coupons.* Each hunting license shall be provided with a coupon which shall be divided into two sections, A-1 and A-2. The holder of a license shall, upon killing his deer, detach, fill out and attach to the deer or carcass, by means of a string or wire, section A-2 of the coupon, by inserting said string or wire through the part marked X on said coupon. He shall, within twenty-four hours after the said deer has been removed from the woods, fill out and mail to the office of the director, section A-1 of the coupon. Section A-2 shall remain attached to the deer, or carcass thereof, as long as said deer or carcass shall remain in the state, and the owner shall be entitled to possess the same as provided in section 7, and shall be entitled to transport it or have it transported as provided in sections 10 and 11 of this chapter.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Ransom of Meredith, for the Committee on Resources, Recreation and Development, to whom was referred House Joint Resolution No. 23, Joint resolution providing

for the care of shore line of Hampton Beach, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Rathbun of Harrisville, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 396, An act authorizing an interstate compact relating to flood control of the Connecticut River, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Reconsideration

Mr. Dort of Chesterfield moved to reconsider the vote whereby the House ordered to a third reading House Bill No. 396.

The question being on the motion to reconsider.

(Discussion ensued)

Mr. Dort of Chesterfield spoke in favor of the motion.

On a *viva voce* vote the motion to reconsider prevailed and the bill was then referred to the Committee on Appropriations under the rules.

Special Order

Mr. Holden of Hanover called for the special order, it being House Bill No. 50, An act relative to audit and post audit of state accounts, reported from the committee with the resolution that it is inexpedient to legislate.

The question being on the resolution of the committee.

Mr. Holden of Hanover moved to substitute the words, ought to pass, for the resolution of the committee, inexpedient to legislate.

The question being on the motion of Mr. Holden.

(Discussion ensued)

Messrs. Holden of Hanover, Cater of Somersworth, Pickett of Keene and Eldredge of Exeter and Mesdames

Holmes of Amherst and Brungot of Berlin spoke in favor of the motion.

Messrs. Nelson of Milford, Crosby of Hillsborough, Skinner of Orford, Sanborn of Wakefield, Turner of Keene and Barry of Wilton and Mesdames Richards of Exeter and Dondero of Portsmouth spoke against the motion.

Mr. Lea of Pembroke moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute the words, ought to pass, for the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the motion did not prevail.

Mr. Holden of Hanover asked for a division.

A division being had 139 members having voted in the affirmative, and 171 members having voted in the negative, the motion to substitute did not prevail.

The question being on the resolution of the committee.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Nelson of Milford called for the special order for 11:03, it being House Bill No. 207, An act relating to powers and duties of the comptroller, reported from the committee with the resolution that it is inexpedient to legislate.

The question being on the resolution of the committee.

(Discussion ensued)

Mr. Nelson of Milford spoke in favor of the resolution.

On a *viva voce* vote the resolution of the committee was adopted.

Reconsideration

Mr. Sanborn of Wakefield moved that the House reconsider its vote whereby it voted inexpedient to legislate House Bill No. 50.

On a *viva voce* vote the motion did not prevail.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with

the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 144, An act relating to carrying of concealed pistols and revolvers.

House Bill No. 393, An act authorizing the town of Belmont to issue notes or bonds for the town water system.

The message further announced that the Senate had voted to concur with the House of Representatives in its amendment to the following entitled bill:

Senate Bill No. 73, An act relating to the use of construction equipment.

The message also announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 168, An act to implement civil defense powers, and the President appointed as members of such committee on the part of the Senate, Senators Hartnett and Lalumiere.

Supreme Court Decision

Relative to House Bill No. 142

The undersigned, the Justices of the Supreme Court, make answer to your resolution with reference to House Bill No. 142 entitled "An act to compel the Boston & Maine Railroad to restore the double track on its line to Boston between Concord and the state line."

In our opinion the Public Service Commission has authority under existing law to require the railroad to restore the track already removed between Concord and Nashua and to desist from further removal if adequacy and safety of service demand it. R. L., *c.* 287, *s.* 21, so far as material provides that the Public Service Commission may order a railroad to furnish proper service and equipment, and by section 22 of the same chapter a railroad is required to obey such orders. R. L., *c.* 289, *ss.* 1 and 3 respectively, provide in effect that a railroad must furnish safe and adequate service and that the Public Service Commission has supervisory powers to see that this and other provisions concerning the operation of railroads are carried out. Whether in the present instance safety and adequacy of service demand that the tracks be relaid and that further removal be stopped depends on facts which we are

in no position to determine since they are "neither proved nor admitted." *State* v. *Railroad,* 77 N. H. 425, 426. Since we cannot know what facts may be found by the Public Service Commission, we do not predict whether the power exists to order the railroad to relay its tracks.

In answer to the first part of the second question, House Bill No. 142 on its face does not violate the Constitution of New Hampshire. If House Bill No. 142 as applied to the Boston & Maine Railroad would compel it to make "an unnecessary, unreasonable and wasteful operation" (*Thompson* v. *Railroad,* 86 N. H. 204, 205), it would violate the state Constitution.

The second part of the second question raises the issue whether the House bill would conflict with the order of the Interstate Commerce Commission entered pursuant to U. S. C., *Tit.* 49, *s.* 26. We are unable to express any opinion on this part of the question due to insufficient facts. *Cf. South Pacific Co.* v. *Arizona,* 325 U. S. 761, 768, 769.

FRANCIS W. JOHNSTON,
FRANK R. KENISON,
LAURENCE I. DUNCAN,
AMOS N. BLANDIN, JR.,
EDWARD J. LAMPRON.

May 28, 1951.

Resolutions

Mr. Bass of Peterborough offered the following resolution:

Resolved, That the Justices of the Supreme Court be respectfully requested to give their opinion upon the following questions of law:

1. May the Legislature constitutionally impose a tax upon the sale of tobacco products as provided in R. L. Ch. 79 and exempt therefrom any tax upon the sale of cigars?

2. If the answer to the above question is in the negative, may the Legislature constitutionally amend R. L. Ch. 79 by providing for a tax only upon the sale of all cigarettes sold at retail in this State, thereby not taxing the sale of other tobacco products?

3. May the Legislature constitutionally tax stock in trade of merchants and manufacturers measured by the net income

it produces or contributes to producing, instead of the present method of taxing same?

Further Resolved, That the Speaker transmit a copy of this resolution to the Clerk of the Supreme Court for consideration by said court.

On a *viva voce* vote the resolution was adopted.

Mr. Underhill of Nashua offered the following resolution:

Whereas, we have learned of the illness of Pierre L. Cote, Representative from Nashua, therefore be it

Resolved, That we, the members of the House of Representatives, extend our sympathy to our fellow member in his illness and our best wishes for a speedy recovery to health, and be it further

Resolved, That a copy of these resolutions be sent to Representative Cote.

On a *viva voce* vote the resolution was adopted.

Mr. Black of Bennington offered the following resolution:

Resolved, That when this House adjourns today, it adjourn in honor of New Hampshire dead of all our wars. These men stood forth from our cities and towns and the peaceful elm shaded villages of New Hampshire in defense of the principles and freedoms and the society of free men that is our heritage. Some of these men had to die, but they died proudly, as gallant men have always died, proudly and unafraid. In honoring them, we attest and affirm our belief in the faith for which they were willing to die and of the principles they held more valid than life itself.

The resolution was unanimously adopted on a rising vote.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, and third readings of bills be by their titles only, and that when the House adjourns today it be to meet at 11:00 o'clock Friday, June 1, and that when it then adjourns it be to meet Tuesday, June 5, at 11:00 o'clock.

Third Readings

House Bill No. 269, An act relating to the registration of architects.

House Bill No. 425, An act relative to liability under in-

surance policies issued to the state and municipal subdivisions thereof.

House Bill No. 427, An act relative to use of coupons attached to hunting licenses.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 61, An act relative to hunting deer with bow and arrow.

Read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mr. Hadley of Dunbarton at 1:33 o'clock the House adjourned.

CONCORD, JUNE 1, 1951

MR. RALPH E. TOWLE
Epsom, N. H.

DEAR SIR:

I shall be unable to attend the session on Friday morning. Will you kindly preside for me and oblige.

Yours respectefully,

LANE DWINELL,
Speaker.

On motion of Mr. Hurd of Concord at 11:01 o'clock the House adjourned.

TUESDAY, JUNE 5, 1951

The House met according to adjournment.

Prayer was offered by guest Chaplain, Rev. Daniel W. Nicely, South Congregational Church, Concord.

Our heavenly Father, we thank Thee that Thou hast placed us in the midst of tasks that are big enough to call forth our intelligence, our courage, and our faith.

Deliver us from the illusion that we fulfill our tasks when we get our own way regardless of the means we use.

Help us to remember that we are here to strive for the highest welfare of all our people.

Grant us the will and the strength to work for those purposes that are Thine, in the spirit of Christ. Amen.

Leaves of Absence

Messrs. Loiselle of Concord, Brown of Laconia and Cummings of Peterborough were granted leave of absence for the week on account of important business.

Messrs. Washburn of Bartlett and Geisel of Manchester were granted leave of absence for the day on account of important business.

Joint Interim Committee Report on Air Pollution In New Hampshire

The Joint Interim Committee appointed under House Bill No. 111 of the 1949 Legislature, An act pertaining to the control of air pollution, as amended, offers its report and recommendations.

After due and careful consideration of the air pollution problem in our State, and after public hearings, the Interim Committee offers the following report and recommendations.

(1) The Interim Committee recommends that the problem of air pollution be made a matter of local solution.

(2) It is recommended, further, that the State Board of Health be requested to give all necessary technical assistance to such town or city as so requests such aid.

(3) It is recommended, further, that the Governor and Council look with favor upon any request of the State Board of Health for additional technical assistance and equipment, where, in the opinion of the Governor and Council, there are sufficient requests from towns and cities to justify such a need.

(4) It is recommended, further, that all towns and cities should cooperate, one with the other, in adopting, as nearly as possible, uniform ordinances, regulations or rules as pertain to the control of air pollution.

(5) It is recommended, further, that the solicitation of new business enterprises for our State be made with consideration to the general reduction of air pollution.

It is the opinion of the Interim Committee that this is not the time to recommend the establishment of another Bureau or Department within the framework of our present State government, with its attending expense to the taxpayer, for the purpose of coordinating and controlling air pollution. The Committee wishes to acknowledge the splendid cooperation between former originators of air contamination and local authorities in the substantial reduction of air pollution in the various localities. Such cooperation should be a prime factor in any ordinance, regulation or rule that may be promulgated by any local town or city.

RAY S. SAWYER,
MABEL THOMPSON COOPER,
GEORGE V. ANGUS,
FRED HAYES,
CHARLES HARTNETT,
ALF HALVORSEN,
LAURENCE ELLIS.

Reconsideration

Mr. Chase of Dover moved to reconsider the vote whereby the House voted inexpedient to legislate, on House Bill No. 176, An act relative to veterans preference.

The question being on the motion to reconsider.

(Discussion ensued)

Mr. Chase of Dover spoke in favor of the motion.

Mr. McMeekin of Haverhill spoke against the motion.

On a *viva voce* vote the motion to reconsider did not prevail.

Committee Reports

Mr. Pickett of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 326, An act relative to the membership of the ballot-law commission, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Sawyer of Concord, for the Committee on Judiciary, to whom was referred House Bill No. 335, An act relative to

licensing of hawkers and peddlers, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Hawkers and Peddlers.* Amend section 3 of chapter 188 of the Revised Laws by striking out the same and inserting in place thereof the following: 3. *Exceptions.* The provisions of this chapter relating to hawkers and peddlers shall not apply to wholesalers or jobbers selling to dealers only; nor to commercial agents or others selling by sample, lists, or catalogues; nor to any person selling provisions, food or candy products; nor to any person selling agricultural products or implements, fruit trees, vines, shrubs, nursery stock, books, newspapers, magazines, maps, pamphlets or the products of his own labor or the labor of his family.

2. *State Licenses.* Amend chapter 188 of the Revised Laws by inserting after section 8 the following new section: 8-a. *Prohibition.* No city or town shall promulgate any by-law or ordinance which would limit or prohibit a person holding a valid state license under the provisions of this subdivision from doing business as a hawker or peddler in said city or town.

3. *Application of Statutes.* Any provision of a city charter or ordinance or town by-law heretofore promulgated which is inconsistent with the provisions of this act shall be repealed to the extent of such inconsistency.

4. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted and the amendment was laid upon the table under Rule 48 to be taken up June 7.

Mr. Turner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 374, An act relating to escapes from places of lawful confinement, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Escapes from Places of Lawful Confinement.* Amend

chapter 457 of the Revised Laws by inserting after section 8 the following new subdivision:

Escapes from Places of Lawful Confinement

8-a. *Penalty.* Whoever, being lawfully detained in any jail or other place of confinement, except the state prison, breaks or escapes therefrom, or attempts to do so, shall be punished by imprisonment or confinement for not less than thirty days and not more than three years; the sentence to such imprisonment or confinement shall not be concurrent with any other sentence then being served or thereafter to be imposed upon such escape.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mrs. Cooper of Nashua, for the Committee on Judiciary, to whom was referred House Bill No. 382, An act relative to charitable organizations, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Kennedy of Manchester, for the Committee on Labor, to whom was referred House Bill No. 248, An act relating to unemployment compensation, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The question being on the resolution of the committee.

Mr. Flanagan of Dover moved to substitute the words, ought to pass, for the resolution of the committee, inexpedient to legislate.

(Discussion ensued)

Mr. Flanagan of Dover spoke in favor of the motion.

Mr. Kennedy of Manchester spoke against the motion.

Mr. Betley of Manchester moved to recommit the bill to the Committee on Labor.

The question being on the motion to recommit.

(Discussion ensued)

Messrs. Betley of Manchester, Flanagan of Dover and Pickett of Keene spoke in favor of the motion.

Messrs. Angus of Claremont, Sanborn of Wakefield and McMeekin of Haverhill spoke against the motion.

Mr. Kennedy of Manchester moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Mr. Betley of Manchester spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Kennedy of Manchester asked for a division.

A division being had, 159 members having voted in the affirmative, and 138 members having voted in the negative, the motion to indefinitely postpone prevailed.

Mr. Charland of Franklin demanded the Yeas and Nays, and the roll was called with the following results:

Yeas, 182

MERRIMACK COUNTY: Putney, Ellsworth, Nicoll, Marden, Dodge, Tebbetts, Blodgett of Concord, Ward 4, Kennedy of Concord, Hurd, Perkins of Concord, O'Neil of Concord, Saltmarsh, Tilton of Concord, Freeman of Concord, Greene of Concord, Blodgett of Concord, Ward 8, Nawn, Sargent, Hadley, Towle, Maxwell, Mason, Milligan, Lamson, Wilman, Ferguson, Powell, Chandler, Sawyer of Wilmot.

HILLSBOROUGH COUNTY: Wilson, French of Bedford, Black, Hambleton, Poore, Reed, English, Crosby, Sterling, Goodwin, Abbott, Kennedy of Manchester, Pettigrew, Pillsbury, Martel, Peaslee, Falconer, Wadleigh, Cooper, Boire, Record, Brosnahan, Ryan, Cormier, Locke of New Boston, Ashley of New Ipswich, Mailloux, Bass, French of Weare.

CHESHIRE COUNTY: Miller of Fitzwilliam, Perry of Jaffrey, Kirk, Landers, Wheeler, Bennett, Codding, Turner, Sherwin, Kershaw, Worcester, Lang, Rhodes, Billings, Ingham of Winchester.

SULLIVAN COUNTY: Frizzell, Angus, Brooks, Converse, Bissonnett, Millar of Claremont, Nahil, Carter of Cornish, Perry of Newport, Rowell, Vaughan, Gamsby, Callum.

GRAFTON COUNTY: Harrington, Plumer, Willey, Clarke of Canaan, Lorden, Williams, Atkins, Fuller, Holden of Han-

over, Chamberlin of Haverhill, McMeekin, Sleeper, Adams, Ashley of Lebanon, Jones, Randall, Griffin of Lincoln, Collins of Lisbon, Gardner, Kelley, Martin of Littleton, Burrill, Howard, Bell, Huckins, Barney, Horner, Anderson, Woodward, Sawyer of Woodstock.

COOS COUNTY: Brungot, Rines, Cummings of Colebrook, Gould, Emerson, Kimball, Evans, Simonds, Christopher, Ellingwood, Hilliard, Placy.

ROCKINGHAM COUNTY: Tuttle, Griffin of Auburn, Wastcoat, Darbe, Lindahl, Gay, Freeman of East Kingston, Eldredge, Kendall, Richards, Putnam, Merrill, McNeil, Hall of Londonderry, Sheehy, Holden of Newington, Wells, McDaniel, Colcord, Sukeforth, Durell, Foote, Smart, Bluitte, Haigh, Waterhouse.

STRAFFORD COUNTY: Swain, Blanchard, Parker, Leach, Brown of Stratford.

BELKNAP COUNTY: Perkins of Alton, McAllister, Weeks, Osborne, Tilton of Laconia, Ward 3, Keller, Tilton of Laconia, Ward 4, O'Shan, Smith of Meredith, Matthews, Atwood.

CARROLL COUNTY: Benson, Downs, Hill, Nickerson, Lamprey, Moulton, Knox, Remick, Hodgdon, Sanborn, Hart of Wolfeboro.

Nays, 133

MERRIMACK COUNTY: Moore, Vogel, Ferrin, Corbett, Brunel, Sawyer of Concord, Chase of Franklin, Burke, Ayotte, Charland, Beale, DuDevoir, Davis of Hopkinton, Lea, Young.

HILLSBOROUGH COUNTY: Holmes, Cummings of Lyndeborough, Corliss, Danforth, Connor, Dwyer, Sweeney, Fitzgerald, Kean, Nolan, Betley, Ellis, Healy of Manchester, Ward 5, Proulx, Casey, Cavanaugh, Clancy, Ecker, Healy of Manchester, Ward 6, Zyla, Downey, Sullivan of Manchester, Constant, Delisle, Cary, Gagnon, Auger, Getz, Kearns, Roche, Lareau, Soucy, Vaillancourt, Daniel, Gauthier, Cannon, Donnelly, Ramsdell, Maynard of Nashua, Ward 3, Cote, Marquis, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Chartrain, Dupont, Grandmaison, Janelle, Pelletier of Nashua, Ward 8, Bouthillier, Pelletier of Nashua, Ward 9, Barry, Hines.

CHESHIRE COUNTY: Walker, Spofford, O'Neil of Keene, Erwin, Pickett, Walsh.

SULLIVAN COUNTY: Marcotte of Claremont, Bailey, Pierce.

GRAFTON COUNTY: Gingras, Avery, Skinner, Gilbert.

COOS COUNTY: Dussault, Hinchey, Moffett, Shields, Desilets, Henderson of Berlin, Sullivan of Berlin, Bouchard, Fontaine, Laforce, Roy of Berlin, Oakes, Means, Stinson.

ROCKINGHAM COUNTY: Libby, Hepworth, Fecteau, Rathbone of Exeter, Eastman, Labranche of Newmarket, Sewall, Pinkham, Dondero, Yeaton, Leary, Ingraham of Portsmouth.

STRAFFORD COUNTY: Chase of Dover, Marcotte of Dover, Felker, Fellows, Carroll, Crandall, Locke of Dover, Flanagan, Caldwell, Horne, Rolfe, Dustin, Maxfield, Winters, Lacasse, St. Pierre, Studley, Green of Rollinsford, Lagueux, Letourneau, Cater, Malley.

BELKNAP COUNTY: Boutin, Simoneau, Metcalf.

CARROLL COUNTY: None.

And the motion to indefinitely postpone prevailed.

Mr. Green of Rollsinford, for the Committee on Municipal and County Government, to whom was referred House Bill No. 397, An act relative to opening and closing election polls under the non-partisan ballot system and time for filings under said system, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Miller of Fitzwilliam, for the Committee on Transportation, to whom was referred House Bill No. 230, An act authorizing the Commissioner of Public Works and Highways to fix weight limits of motor vehicles on certain roads, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Miller of Fitzwilliam, for the Committee on Transportation, to whom was referred House Bill No. 365, An act

relative to payment of fees for registration of motor trucks, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Pickett of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 160, An act relating to real estate brokers and salesmen, reported the same with the amendment as printed in the Journal of Monday, May 28, pages 7, 8 and 9 and the recommendation that the bill as amended ought to pass.

The report was accepted.

The question being on the amendment.

Mr. Tilton of Laconia, Ward 4, moved that the bill with amendment pending be recommitted to the Committee on Judiciary.

(Discussion ensued)

Mr. Tilton of Laconia spoke in favor of the motion.

Mr. Chandler of Warner moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Messrs. Chandler of Warner, Martel of Manchester and Maxwell of Henniker spoke in favor of the motion.

Messrs. Perkins of Concord, Daniel of Manchester, Tilton of Laconia, Lamprey of Moultonborogh, Lamson of New London and Pickett of Keene and Mrs. Brungot of Berlin spoke against the motion.

Mr. Christopher of Northumberland moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the Chair was in doubt.

Mr. Benson of Conway demanded the yeas and nays but subsequently withdrew his demand and asked for a division.

A division being had, 106 members having voted in the

affirmative and 184 members having voted in the negative, the motion to indefinitely postpone did not prevail.

The question being on the motion to recommit.

On a *viva voce* vote the motion to recommit prevailed.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 64, An act relative to supplies for discharged prisoners.

House Bill No. 219, An act relating to public welfare department.

House Bill No. 286, An act to assist needy school districts in providing adequate educational opportunity and to improve the educational offerings of the public elementary and high schools.

The message further announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bills:

Senate Bill No. 18, An act to establish a state council for teacher education.

Senate Bill No. 56, An act relative to motor vehicles owned by totally blind service connected veterans.

The message also announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 86, An act relative to the dollar limit of small claims.

Senate Bill Read and Referred

Senate Bill No. 86, An act relative to the dollar limit of small claims.

Read a first and second time and referred to the Committee on Judiciary.

Resolutions

Mr. Sanborn of Wakefield offered the following concurrent resolution:

Resolved, by the House of Representatives, the Senate con-

curring, that the General Court meet in Joint Convention on Wednesday, June 13, 1951, at 11:00 A. M. for the purpose of electing a State Treasurer.

On a *viva voce* vote the concurrent resolution was adopted.

Mrs. Cooper of Nashua offered the following resolution:

Whereas, John R. Spring, Chairman of the State Tax Commission, is ill in Memorial Hospital, Nashua, therefore be it

Resolved, That we, the members of the House of Representatives of the New Hampshire Legislature, hereby express our sympathy to Mr. Spring in his illness and extend our best wishes for a speedy return to health, and be it further

Resolved, That a copy of these resolutions be sent to him.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended, business in order at 3:00 o'clock was made in order at the present time and the third reading of bills by their titles only made in order.

Third Readings

House Bill No. 326, An act relative to the membership of the ballot-law commission.

House Bill No. 374, An act relating to escapes from places of lawful confinement.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Ellsworth of Boscawen at 1:30 o'clock the House adjourned.

WEDNESDAY, JUNE 6, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O Gracious God, the Ruler of the universe and the Director of the lives of men, give Thy guiding Spirit to the members of this Legislature. Amid the complex conditions, difficult problems and severe demands lead us to do that that will be

for the greater good of this Commonwealth. Be with, and direct those, O God, who serve the State as leaders. Make them ever mindful of their increased responsibility and give each member vision, patience, and wisdom in the conscientious fulfillment of his or her duty. Be Thou with us as Thou was with our forefathers, and Thy Kingdom shall come in power. Amen.

Leaves of Absence

Messrs. Hambleton of Goffstown and Spaulding of Hudson were granted leaves of absence for the day on account of important business.

Mr. Washburn of Bartlett was granted leave of absence for Wednesday and Thursday on account of important business.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Committee on Rules, House Bill No. 439, An act establishing the John G. Winant Memorial Foundation. Referred to the Committee on Executive Departments and Administration.

By Committee on Rules, House Bill No. 440, An act relative to authority of the director of the state veterans council to act as guardian of mentally incompetent veterans in certain cases. Referred to the Committee on Military and Veterans' Affairs.

By Committee on Rules, House Bill No. 441, An act relative to the computation of mileage allowances for legislative members from certain towns. Referred to the Committee on Judiciary.

By Committee on Rules, House Bill No. 442, An act relative to burial expenses of certain veterans. Referred to the Committee on Military and Veterans' Affairs.

By Committee on Rules, House Bill No. 443, An act extending the appropriation for the so-called children's study home. Referred to the Committee on Appropriation.

By Committee on Rules, House Bill No. 444, An act relative to trustees of Brewster Free Academy. Referred to the Committee on Executive Departments and Administration.

On motion of Mr. Hart of Wolfeboro the rules were suspended and printing of House Bill No. 444 dispensed with.

Engrossed Bills

Mrs. Landers of Keene for the Committee on Engrossed Bills, reported that the committee had examined and found corrected engrossed the following entitled bills:

House Bill No. 64, An act relative to supplies for discharged prisoners.

House Bill No. 219, An act relating to public welfare department.

House Bill No. 286, An act to assist needy school districts in providing adequate educational opportunity and to improve the educational offerings of the public elementary and high schools.

House Bill No. 340, An act relative to unemployment compensation.

House Bill No. 380, An act relative to notification of so-called write-in candidates at the state primary.

House Bill No. 393, An act authorizing the town of Belmont to issue notes or bonds for the town water system.

House Hill No. 407, An act relative to unemployment compensation and dealing with merit rating and the collection of overpayments in fraud cases involving other states.

House Bill No. 18, An act to establish a state council for teacher education.

Senate Bill No. 56, An act relative to motor vehicles owned by totally blind service-connected veterans.

Senate Bill No. 61, An act relative to hunting deer with bow and arrow.

Senate Bill No. 73, An act relating to the use of construction equipment.

House Bill No. 402, An act providing for tuition payments for handicapped children.

The report was accepted.

Committee Reports

Mr. Putney of Andover, for the Committee on Fish and Game, to whom was referred House Bill No. 165, An act relating to setting traps, reported the same with the amendment as printed on pages 9 and 10 of the Journal of May 29,

1951, and the recommendation that the bill as amended ought to pass.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Holmes of Amherst, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 186, An act to establish minimum hours of labor for employees in state service, reported the same with the amendment as printed on page 6 of the Journal of May 29, 1951, and the recommendation that the bill as amended ought to pass.

The report was accepted, the amendment adopted, and the bill referred to the Committee on Appropriations under the rules.

Mr. Crosby of Hillsborough, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 330, An act relating to veterans preference in public employment, reported the same with the amendment as printed on page 8 of the Journal of May 29, 1951, and the recommendation that the bill as amended ought to pass.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Foote of Portsmouth, for the Committee on Liquor Laws, to whom was referred House Bill No. 364, An act providing for the sale of wines by grocery stores, reported the same with the recommendation that the bill ought to pass.

The undersigned, a minority of the Committee on Liquor Laws, to whom was referred House Bill No. 364, An act providing for the sale of wines by grocery stores, and being unable to agree with the majority, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

ALFRED W. POORE
GEORGE L. HURD
JOHN H. YEATON
JAMES M. ERWIN
PAUL G. KARKAVELAS
JOHN C. TILTON
THOMAS McCAFFREY
A Minority of the Committee.

The report was accepted.

Mr. Poore of Goffstown moved that the report of the minority be substituted for that of the majority.

The question being on the motion to substitute.

(Discussion ensued)

Mr. Poore of Goffstown spoke in favor of the motion.

Mr. Danforth of Manchester moved that the bill be recommitted to the Committee on Labor.

The question being on the motion to recommit.

(Discussion ensued)

Mr. Danforth of Manchester spoke in favor of the motion.

Mr. Foote of Portsmouth spoke against the motion.

Mr. Karkavelas of Dover moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Messrs. Karkavelas of Dover, Reed of Goffstown, Eldredge of Exeter, Black of Bennington, Jones of Lebanon, and Tilton of Concord, and Mrs. Jackson of Dublin, spoke in favor of the motion.

Messrs. Sullivan of Manchester, Corbett of Concord, Brown of Laconia, and Danforth of Manchester, spoke against the motion.

Mr. Martel of Manchester moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the motion prevailed.

Mr. Danforth of Manchester demanded the Yeas and Nays, and the roll was called with the following result:

Yeas, 265

HILLSBOROUGH COUNTY: Holmes, Wilson, French of Bedford, Black, Farwell, Poore, Reed, Doonan, English, Sterling, Goodwin, Abbott, Corliss, Kennedy of Manchester, Pillsbury, Connor, Martel, Kean, Ellis, Gagnon, Peaslee, Falconer, Nelson, Wadleigh, Cooper, Underhill, Record, Brosnahan, Cote, Chartrain, Dupont, Cormier, Grandmaison, Janelle, Pelletier

of Nashua, Ward 8, Bouthillier, Pelletier of Nashua, Ward 9, Locke of New Boston, Ashley of New Ipswich, Mailloux, Bass, French of Weare, Barry.

CHESHIRE COUNTY: Burnham, Dort, Jackson, Miller of Fitzwilliam, Maloney, Rathbun of Harrisville, Walker, Perry of Jaffrey, Spofford, O'Neil of Keene, Landers, Wheeler, Bennett, Erwin, Codding, Turner, Sherwin, Kershaw, Worcester, Lang, Aylward, Rhodes, Billings, Ingham of Winchester, Thompson of Winchester.

SULLIVAN COUNTY: Bascom, Frizzell, Angus, Brooks, Converse, Bissonett, Millar of Claremont, Baron of Claremont, Carter of Cornish, Bailey, Perry of Newport, Rowell, Vaughan, Pierce, Gamsby, Callum.

GRAFTON COUNTY: Harrington, Plumer, Willey, Clarke of Canaan, Grass, Williams, Atkins, Fuller, Holden of Hanover, Chamberlin of Haverhill, McMeekin, Sleeper, Adams, Ashley of Lebanon, Cole, Jones, Randall, Griffin of Lincoln, Collins of Lisbon, Gardner, Kelley, Martin of Littleton, Pushee, Burrill, Skinner, Howard, Bell, Huckins, Barney, Horner, Anderson, Woodward, Gilbert, Sawyer of Woodstock.

COOS COUNTY: Shields, Brungot, Bouchard, Cummings of Colebrook, Gould, Oakes, Emerson, Fraser, Kimball, Evans, Simonds, Means, Christopher, Ellingwood, Hilliard, Placy, Stinson, Taylor.

ROCKINGHAM COUNTY: Tuttle, Griffin of Auburn, Libby, Wastcoat, Hazelton, Darbe, Lindahl, Gay, Hepworth, Freeman of East Kingston, Eldredge, Kendall, Rathbone of Exeter, Richards, Bonney, Putnam, Merrill, Ring, Thurlow, Eastman, McNeil, Hall, McCaffrey, Sheehy, Wells, Carter of North Hampton, Pinkham, McDaniel, Colcord, Dondero, Sukeforth, Durell, Foote, Yeaton, Dame, Bluitte, Philbrick, Haigh, Peever, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Chase of Dover, Karkavelas, Felker, Fellows, Crandall, Locke of Dover, Henderson of Durham, Blanchard, Parker, Caldwell, Horne, Smith of New Durham, Rolfe, Dustin, Maxfield, Winters, Studley, Green of Rollinsford, Lagueux, Letourneau, Brown of Strafford.

BELKNAP COUNTY: McAllister, Weeks, Osborne, Hart of Laconia, Simoneau, Tilton of Laconia, Ward 3, Keller, O'Shan, Tilton of Laconia, Ward 4, Thompson of Laconia, Ransom, Smith of Meredith, Matthews, Atwood, Metcalf.

CARROLL COUNTY: Benson, Downs, Hill, Morey, Nickerson, Lamprey, Moulton, Knox, Remick, Hodgdon, Sanborn, Hart of Wolfeboro, McHugh.

MERRIMACK COUNTY: Putney, Ellsworth, Nicoll, Moore, Vogel, Marden, Dodge, Tebbetts, Blodgett of Concord, Ward 4, Kennedy of Concord, Tobey, Hurd, Perkins of Concord, O'Neil of Concord, Saltmarsh, Tilton of Concord, Bunten, Freeman of Concord, Greene of Concord, Blodgett of Concord, Ward 8, Nawn, Sawyer of Concord, Sargent, Hadley, Towle, Chase of Franklin, Burke, Ayotte, Charland, Maxwell, Mason, Davis of Hopkinton, Milligan, Wilman, Ferguson, Young, Powell, Chandler, Sawyer of Wilmot.

Nays, 81

HILLSBOROUGH COUNTY: Crosby, Pettigrew, Danforth, Geisel, Dwyer, Sweeney, Fitzgerald, Nolan, Betley, Healy of Manchester, Ward 5, Proulx, Casey, Clancy, Ecker, Healy of Manchester, Ward 6, Zyla, Marcoux, Sullivan of Manchester, Constant, Delisle, Roy of Manchester, Cary, Auger, Getz, Kearns, Roukey, Lareau, Soucy, Vaillancourt, Chapdelaine, Daniel, Gauthier, Thibodeau, Cannon, Donnelly, Wedick, Boire, Belcourt, Maynard of Nashua, Ward 3, Marquis, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Ryan.

CHESHIRE COUNTY: Pickett, Walsh.

SULLIVAN COUNTY: Nahil, Marcotte of Claremont.

GRAFTON COUNTY: Gingras, Avery, Lorden.

COOS COUNTY: Dussault, Hinchey, Desilets, Henderson of Berlin, Sheridan, Morel, Sullivan of Berlin, Fontaine, Laforce, Roy of Berlin, Rines.

ROCKINGHAM COUNTY: Fecteau, Labranche of Newmarket, Sewall, Leary, Ingraham of Portsmouth.

STRAFFORD COUNTY: Marcotte of Dover, Shaheen, Carroll, Flanagan, Lacasse, St. Pierre, Cater.

BELKNAP COUNTY: Boutin, Brown of Laconia.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Ferrin, Corbett, DeDevoir, Lea.

And the motion to indefinitely postpone prevailed.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 250, An act relative to the salaries of the city councilmen of Laconia.

House Bill No. 251, An act relative to the salary of the mayor of Laconia.

House Bill No. 318, An act relative to misrepresentation by minor for the purpose of purchase of liquor or beverages.

House Bill No. 394, An act relative to the salaries of the county commissioners of Rockingham County.

Resolutions

Mr. Hepworth of Derry offered the following resolution:

Whereas, we have learned with regret of the illness of Representative Harry Clark of Derry, who is confined to the Elliot Hospital in Manchester, therefore be it

Resolved, That we, the members of the House of Representatives, extend our sympathy in his illness and our best wishes for a speedy recovery, and be it further

Resolved, That a copy of these resolutions be transmitted to Representative Clark.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended, business in order at 3:00 o'clock was made in order at the present time and the third reading of bills by their titles only made in order.

Third Readings

House Bill No. 165, An act relating to setting traps.

House Bill No. 330, An act relating to veterans preference in public employment.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Fecteau of Epping at 12:53 o'clock the House adjourned.

THURSDAY, JUNE 7, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God, Thou in Whom we live and move and have our being, across the ages has swept Thy Spirit. At its command great leaders have arisen and mighty truths have stirred the hearts of men and women. Help us, our God, to be ever mindful of the fact that that Spirit moves today, in its mighty and mysterious way, to quicken consciences and to stir us to high and noble deeds, and clearer vision of Thee, ourselves and our duty to others. In these days when the world sorely needs men and women of high ideals and honest leadership, may we give ourselves to the guiding power of Thy Divine Spirit. And thus may Thy kingdom come and Thy will be done. Amen.

Leaves of Absence

Mr. Keller of Laconia and Miss Bailey of Newport were granted leave of absence for the day on account of important business.

Mr. French of Weare was granted leave of absence for the day on account of illness.

Introduction of Bill

The following bill was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules, House Bill No. 445, An act

relative to payment of expenses of forest fires, kindling fires, and penalties for violation of fire laws.

Referred to the Committee on Resources, Recreation and Development.

Engrossed Bills Report

Mrs. Shields of Berlin, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 250, An act relative to the salaries of the city councilmen of Laconia.

House Bill No. 251, An act relative to the salary of the mayor of Laconia.

House Bill No. 318, An act relative to misrepresentation by minor for the purpose of purchase of liquor and beverages.

House Bill No. 394, An act relative to the salaries of the county commissioners of Rockingham county.

House Bill No. 422, An act legalizing the annual meeting in the town of Mason.

House Bill No. 432, An act relative to borrowing by Belknap county.

House Bill No. 433, An act validating certain proceedings of the town of Marlborough.

The report was accepted.

Committee Reports

Mr. Hart of Wolfeboro, for the Committee on Appropriations, to whom was referred House Bill No. 430, An act providing for a supplemental appropriation for state institutions, reported the same with the recommendation that the bill ought to pass.

The question being, Shall the bill be read a third time?

(Discussion ensued)

Mr. Sanborn of Wakefield spoke in favor of the question.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. McAllister of Barnstead, for the Committee on Education, to whom was referred House Bill No. 231, An act relative to location and construction of school buildings, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Holden of Hanover, for the Committee on Judiciary, to whom was referred Senate Bill No. 10, An act relating to the state treasurer, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *State Treasurer.* Amend chapter 22 of the Revised Laws as amended by section 2, chapter 21, Laws of 1943, section 4, chapter 65, Laws of 1943, section 1, chapter 213, Laws of 1943, chapter 95, Laws of 1945, chapter 292, Laws of 1947, chapter 107, Laws of 1949, sections 1, 3, and 5 of Part 2 of chapter 5 of the Laws of 1950 and section 4, Part 25, chapter 5, Laws of 1950 by striking out said chapter and inserting in place thereof the following:

Chapter 22
State Treasurer and State Accounts
State Treasurer

1. *Election.* The state treasurer shall be chosen biennially in the manner directed by the constitution and shall hold office until a successor is elected.

2. *Bonds.* Before entering upon the duties of his office he shall be sworn and shall give bond in the sum of two hundred thousand dollars with sufficient sureties to be approved by the board of approval, conditioned for the due receipt, proper retention, and lawful disbursement of, and the due accounting for, all public funds of the state and all funds held by the treasurer as custodian, and the faithful discharge of all the duties of his office, which bond shall be deposited and safely kept in the office of the secretary of state. The governor is authorized to draw his warrants for such sums as may be necessary to purchase such bond from a licensed surety company, from any money in the treasury not otherwise appropriated. Upon the failure of the legislature to elect a state treasurer on the first Wednesday of the biennium the state treasurer previously elected shall give a new bond in the sum of two hundred thousand dollars with like approval and conditions as are set forth hereinbefore.

3. *Duties.* It shall be the duty of the state treasurer to (a) Receive and keep safely all funds over which the state has exclusive control.

(b) To pay, as authorized by warrants drawn by the governor with the advice and consent of the council, all sums due by virtue of appropriations and general acts and resolves of the legislature, out of any moneys in the treasury not otherwise appropriated.

(c) To borrow on the credit of the state, such sums of money as are directed by the governor and council and authorized by the legislature, and to pay the principal and interest on all loans which may at any time become due, on warrants drawn by the governor with the advice and consent of the council.

(d) To advise the governor and council from time to time, and the legislature annually, concerning the condition of the public treasury.

(e) To maintain and preserve such records and accounts as are necessary to enable him to perform the duties of his office and as are required from time to time by the governor and council to permit a proper audit of the treasury.

4. *Assistants.* The treasurer may employ such clerical assistance as authorized by the legislature appropriations for the treasury. Clerical employees shall be subject to the state personnel regulations and entitled to the privileges and benefits of the state classified service.

5. *Books and Accounts.* He shall provide, at the expense of the state, suitable books in which he shall enter, according to form approved by the governor and council, fair, detailed and correct records of all sums of money received into, held in custody and paid from the treasury or by depositories of public funds acting as fiscal agents of the state, and of all his other official acts. He shall keep separate accounts with each separate appropriation to which all disbursements chargeable to each such appropriation shall be charged and in which all transfers to or from the appropriation shall be recorded. He shall keep separate accounts with each nonclassified officer entitled to a salary to which all salary disbursements to each such officer shall be charged. The state treasurer shall keep in his office such records as will show at all times the balances in each account. Whenever a manifest shall be presented to the

treasurer for payment of moneys out of the state treasury which would result in an overpayment from a given account, the treasurer shall refuse to make such overpayment or unauthorized payment.

6. *Payment by Check.* All payments of public funds from the state treasury shall be by check, and no moneys shall be issued by the treasurer in cash. It shall be unlawful for the treasurer to cash any check issued by him and drawn on funds of the state, or to use public funds to cash any checks whether or not drawn by him or on funds of the state.

7. *Destruction of Documents.* The state treasurer may destroy documents and papers filed in his office at the end of seven years from the time of filing as herein provided. He shall submit to the governor and council a statement describing documents and papers that he desires to remove from the files and a committee of the council shall examine the same. If the committee approves such disposition a record shall be made of all such documents and papers, and they shall then be burned by the state treasurer in the presence of the committee.

8. *Deposits.* The treasurer shall deposit all public moneys in his possession, in such national banks within the state or the commonwealth of Massachusetts, or any such trust company incorporated under the laws of, or doing business within, the state or the commonwealth of Massachusetts, as shall be approved at least once in six months by the governor and council, but the amount deposited in any one bank or trust company shall not at any time exceed sixty per cent of its paid-up capital and surplus. Other things being equal, those banks or trust companies shall receive preference which will allow interest on daily balances. All interest received on such deposits shall be paid into the same state treasury fund which contains the principal that produces the interest.

9. *Investment.* All funds over which the state has exclusive control, aside from such sums of money as the treasurer may deem necessary to hold on deposit for meeting current expenses, shall be invested by the treasurer, with the approval of the governor and council, in the notes or bonds of the several counties, cities, and towns of the state, in the scrip or bonds of the United States, or in the notes or bonds of any incorporated district of the state, or of any city of the New England states whose net indebtedness at the time of pur-

chase does not exceed five per cent of the last preceding valuation of the property therein for the assessment of taxes.

10. *Examining Committee.* The governor shall appoint a committee of the council, which shall annually in the month of June, and as much oftener as occasion may require, examine the value of the notes and securities in charge of the treasurer and report them to the governor and council, who may direct the treasurer to sell or collect notes or securities, over which the state has exclusive control, and re-invest the proceeds according to the provisions of section 9.

11. *Payments to Treasurer.* All state departments and institutions, except the New Hampshire College of Agriculture and the Mechanic Arts and the University of New Hampshire, receiving money for the state from sources outside of the state treasury, shall pay the same into the state treasury monthly, or as much oftener as the governor and council shall direct, with a full and detailed statement thereof, including the date of and the source from which the same was received and the consideration therefor. Such accounts shall be stated by properly classified totals in all reports.

12. *Treasury Funds.* Moneys received by the state treasurer shall be held separately by him in the following treasury funds:

(a) Fish and game fund, in which moneys received by the fish and game department shall be held, and from which such revenues shall be paid for the purposes to which restricted.

(b) Highway fund, in which moneys received by the motor vehicle department and fines and costs from the department of state police shall be held, and from which such revenues shall be paid for the purposes to which restricted.

(c) Capital fund, in which all moneys raised by borrowing on the credit of the state for the construction and repair of state property and facilities shall be held, and from which such funds shall be paid for the purposes to which restricted.

(d) Sinking fund, in which all revenue specially restricted for debt retirement purposes shall be held in separate sinking fund accounts, and from which such revenues shall be paid only in the manner in and for the purposes which the legislature from time to time authorizes and directs.

(e) Special funds, in which all other restricted revenues and moneys of the state shall be held in separate accounts and from which such revenues and moneys shall be paid for the purposes to which restricted.

(f) General fund, in which all unrestricted funds of the state shall be held, and from which the general appropriations for the administration, operation, and maintenance of each institution and department, and such other sums as may become due by general legislation, shall be paid. The treasurer shall credit moneys derived from the sale of farm and minor industrial products of institutions to the general appropriation accounts of the institutions from which derived.

If money due from the state which is payable out of any restricted fund is demanded, and there are not sufficient moneys in the restricted fund available for the payment of the same, the treasurer, under the direction of the governor and council, is authorized to temporarily transfer such general funds as are necessary to rehabilitate restricted funds from time to time, and under direction of the governor and council shall restore to the general fund from the restricted funds the sums thus temporarily transferred when the balances in the restricted fund is sufficient to permit such restoration.

13. *Borrowing Money.* If money due from the state is demanded and there are not sufficient funds in the treasury available for the payment of the same, the treasurer, under the direction of the governor and council, is authorized to borrow on the state's credit, for a period of not more than five years, at the lowest rate of interest obtainable, such sums as may be necessary; but the entire indebtedness incurred under this authority shall not exceed the sum of one million, six hundred thousand dollars.

14. *Reissue of Bonds.* The treasurer is authorized to issue registered bonds of one hundred dollars each, and multiples thereof, in exchange for coupon or other registered bonds of the state, respectively bearing the same rate of interest as the bonds received in exchange, and payable at the same time, but at the state treasury only. If the payee of a registered bond duly assigns it to another party, it shall be the duty of the treasurer to issue to the assignee thereof a new bond as aforesaid, upon request and surrender

of the old bond thus assigned. The bonds so issued shall be signed by the treasurer, countersigned by the governor, and attested, under the seal of the state, by the secretary; and the treasurer and secretary shall each keep a record thereof, showing the serial number, date, and amount of each, and to whom and when payable.

15. *Cancelling Bonds.* All bonds received by the treasurer in exchange under the provisions of the preceding section shall be at once effectually effaced and cancelled by him, and shall be retained in his office until they have been examined and the accounts relating thereto audited, when they shall be destroyed as provided in section 28.

16. *Federal Funds.* The treasurer is authorized to receive such sums as may be allotted from the United States government for co-operative fire prevention or other work under the forestry and recreation commission. Any money so received shall constitute a continuous fund from which payment shall be made, upon warrant of the governor, for such purposes as are approved by the state forester in accordance with the terms and conditions of the United States Department of Agriculture. The treasurer is authorized to receive such other sums as may be allotted to the state from the United States Government from time to time for other public purposes, and to hold, deposit, invest, and disburse the same agreeably with the acts and resolves of the legislature of this state.

17. *Disbursements.* Before issuing any moneys out of the state treasury the state treasurer shall require presentment to him of the following documents:

(a) Detailed invoices, payroll data, purchase orders or other evidence of debt substantiating the claim presented for payment.

(b) The certificate of the head of the department, institution or agency whose appropriation account is proposed to be charged or of his duly authorized deputy, and of a responsible subordinate officer of that department, institution or agency, that the goods or services have been received and that the charges manifested for payments are just and true and represent just claims against the appropriation of the state.

(c) The certificate of the director of budget and con-

trol, endorsed on the face of the manifest, that the claim manifested appears proper upon his pre-audit of the same.

(d) The warrant of the governor, duly executed with the advice and consent of the council, authorizing and directing the payment of the claim.

18. *Working Capital.* The governor is hereby authorized to draw his warrant ,with the advice and consent of the council, upon any money in the funds of the treasury for such sums to be set apart from time to time to the credit of the state treasurer as a working capital fund as may appear to the governor and council necessary and proper upon recommendation of the comptroller for such of the following purposes as the governor and council may direct: The prompt payment of bills for materials, equipment and supplies purchased upon purchase orders issued by the director of purchase and property and bills incurred for liquor purchased by the state liquor commission under the provisions of chapter 170, Revised Laws, as amended, on which discounts are available upon such prompt payment; the payment of bills for postage stamps; the payment of salaries and expenses of officers and of persons employed in the state classified service, as determined by the director of personnel, on payrolls certified by the heads of the departments, institutions or agencies or their duly authorized deputies; any payment of direct aid to welfare recipients under programs administered by the department of public welfare. No other payments shall be made by virtue of this section. This section shall not authorize the manifesting, approval, or payment of any claims in excess of appropriations or for purposes for which appropriations do not exist. A warrant duly executed under this section shall be a sufficient warrant under section 17 (d) of this chapter.

19. *Revolving Funds.* The governor is hereby authorized to draw his warrant, with the advice and consent of the council, upon any money in the general fund of the treasury for sums to be delivered into the custody of the responsible heads of departments and institutions for their use as petty cash revolving funds within their departments or institutions. The authorized balances and number of revolving funds shall be kept at minimum levels consistent with efficiency, and shall be carried as a charge against the departments or instiution concerned. No revolving fund shall be authorized

by the governor and council except upon written application establishing the necessity for such fund consistent with the efficient operation of the applicant department. Any revolving fund authorized hereunder for the highway department or for the fish and game department shall be established from the highway fund or the fish and game fund, respectively. The heads of such departments and institutions shall be personally responsible for such moneys while in revolving funds, and shall be authorized to use the same as a petty cash fund only for such departmental purposes as are authorized by law. No payment from a revolving fund shall bind the state unless and until the specific payment has been preaudited by the director of accounts and warranted by the governor with the advice and consent of the council. After such audit and warrant, the treasurer shall be authorized to issue out public funds to restore the authorized balance of the revolving fund concerned. Department heads responsible for revolving funds shall be bonded in sums sufficient to protect the state against loss of any revolving funds the authorized balances of which exceed one thousand dollars. All existing revolving funds shall lapse upon the date of the first meeting of the governor and council in 1953, unless renewed at that meeting and revolving funds thereafter authorized hereunder shall similarly lapse on the date of the first meeting of the governor and council in each biennium thereafter, unless then renewed and unless sooner reduced or lapsed by resolution of the governor and council. Upon such reduction or lapse, the responsible head of the department or institution concerned shall pay the revolving fund moneys into the treasury and the treasurer shall credit the same against the amount standing as a charge to the department or institution concerned.

20. *Invalid Warrants.* The treasurer, if he has reason to believe that no sufficient appropriation exists or remains authorizing an expenditure warranted by the governor with the advice and consent of the council, or that a warrant is invalid in whole or in part for any reason, shall certify such facts under oath to the governor and council, and shall refuse to honor such warrant while such presumed invalidity exists, provided, however, that in case of dispute, the governor and council may submit the treasurer's certification to and request the opinion of the attorney general, and in the event that the

attorney general shall render his opinion that the disputed warrant is valid, the treasurer shall abide by that opinion, provided that the attorney general before rendering his opinion may request the opinion of the justices of the supreme court regarding any question arising hereunder.

21. *Reports.* The state treasurer shall make an annual report showing the details of receipts and disbursements, the aggregate amount of funded debt of the state, all unexpended appropriations for the year in two classes, namely: unexpended appropriations that have lapsed by the end of the fiscal year in one class and unexpended appropriations which continue as a liability or charge upon the treasury in the other class, and all temporary loans at the beginning and end of each year respectively, and the balance of increase or decrease, and state the cause of such increase or decrease. It shall state whether or not the ordinary expenses of the year have exceeded the income and show the amount of the balance. It shall contain a particular statement of all transactions affecting the funds belonging to or held in trust by the state, including new investments of any portion of the same made during the preceding year.

22. *Removal of Treasurer.* Upon representation made to the governor by any person, under oath, that the treasurer is insane or manifestly insolvent, or that he has absconded or concealed himself, or is guilty of any conduct which is to the hazard of the public treasury, the governor and council shall examine into the truth of the representation and, if it shall appear to be true, remove him from office.

23. *Commissioner.* Upon the death, resignation, or removal of the treasurer, the governor, with the advice of the council, shall appoint some suitable person as commissioner, to take charge of the money, books, and papers in the office, and to perform all the duties of treasurer until a treasurer is elected and qualified. Before entering upon the discharge of his duties the commissioner shall be sworn and he shall give bond as provided for the treasurer in section 2.

Deputy State Treasurer

24. *Appointment; Removal.* The state treasurer shall appoint a competent accountant as his deputy, who shall hold office while the treasurer remains in office unless sooner re-

moved. The treasurer may remove him at pleasure and the governor and council may remove his deputy for cause as they may remove the treasurer. A commissioner shall appoint a deputy to hold office in like manner.

25. *Oath; Bond.* Before entering upon the duties of the office, the deputy treasurer shall be sworn, and shall give bond to the state in the sum of forty thousand dollars, with sufficient sureties to be approved by the board of approval, conditioned for the faithful discharge of the duties of the office. The bond shall be filed and preserved in the office of the secretary of state. The governor is authorized to draw his warrant, from time to time, for such sums as may be necessary to purchase such bond from a licensed surety company.

26. *Duties.* The deputy shall perform such duties as may be assigned to him by the treasurer, and during the absence or disability of the treasurer he shall perform all the duties of the office.

Audits and Reports

27. *Audit of Treasurer's Accounts.* A certified public accountant not in the regular employ of the state, chosen by the governor with the advice and consent of the council, shall audit the account of the state treasurer each year, and also whenever so directed by the governor and council, and the governor is authorized to draw his warrant, from time to time, for such sums as may be necessary to defray the costs of such audits.

28. *Auditing Committee.* The governor shall annually appoint two or more members of the council as the auditing committee, whose duty it shall be to destroy, in the presence of the treasurer, all state bonds and coupons that have been paid or received in exchange since the last auditing and that are duly entered and accounted for in the accounts, and to perform such further auditing function from time to time as the governor may request.

29. *Reports.* The auditing accountant and the auditing committee of the council shall annually make and file with the secretary of state, and with the treasurer, reports of their doings containing schedules of the bonds and coupons destroyed by them and statements of the results of their examinations. The treasurer shall publish an annual report to the legislature

accounting for his stewardship, and the reports of the auditing accountant and of the auditing committee of the council shall be published therein.

Appropriations

30. *Appropriations.* The full amount of public funds allowed for the general maintenance and operation of each department, institution and agency of the state shall be appropriated by each legislature for each fiscal year in the biennial period next following, to which appropriations miscellaneous revenues derived from the specific departments, institutions and agencies may be added as and if specifically so directed by the legislature. Appropriations for capital improvement projects and special purposes shall be specially appropriated. Each legislative authorization which specifies an amount of public funds allowed for a specific general or special purpose shall be considered a separate appropriation whether or not contained in a separate act of the legislature.

31. *Lapsed Appropriations.* Except as otherwise specially provided, all unexpended portions of special appropriations shall lapse when the object for which the appropriation was made has been accomplished and, in any event, at the expiration of three years from the date when the act creating the appropriation first took effect, unless there are obligations incurred by contract thereunder, made within said period, in which case there shall be no lapse until the satisfaction or fulfillment of such contractual obligations. Except as otherwise specially provided, all unexpended portions of general appropriations which have not been expended during the fiscal year for which they were appropriated shall lapse at the end of thirty days after the expiration of the year.

32. *Inter-Agency Charges.* In case any agency of the state performs services for or furnishes materials, equipment, or supplies to another agency of the state at its request, and by so doing accomplishes in whole or in part purposes or projects for which specific appropriations stand to the credit of the recipient agency, the supply agency shall be entitled to be reimbursed from such appropriations for actual expenditures from its own appropriations made necessary in supplying the services or materials so requested, and for the use of expendable equipment. Such reimbursement shall be accom-

plished by the rendering of a statement by the supplying agency to the recipient agency, which, if approved by the recipient agency in whole or in part, shall be manifested for payment as approved, in ordinary course.

33. *Transfer of Appropriations.* In case the general appropriation for any state department, institution or agency for any specific purpose is insufficient for any fiscal year, the head of the department, institution or agency may request the director of budget and control to submit to the governor and council an application for a transfer of funds from the general appropriations for other purposes in that department, institution or agency for the same fiscal year. The director shall thereupon submit the application to the governor and council together with his recommendation relative thereto. The governor and council may thereupon authorize such a transfer of funds, unless such transfer is expressly prohibited by the appropriation act concerned.

If a transfer of appropriated funds is authorized the heads of the departments, institutions or agencies concerned, the treasurer, and the director of budget and control shall be notified of the transfer before the funds as transferred shall be allotted and made available for expenditure.

34. *Supplementing Appropriations.* In the event that the governor, with the consent of the council, determines to use any part of any emergency fund, contingency fund, or other overlay funds which may be appropriated for the such purposes by the legislature, to supplement any other appropriation made by the legislature, the funds involved shall be transferred to the appropriation to be supplemented and alloted before becoming available for expenditure, in accordance with the preceding section.

Duty of State Officials

35. *Exceeding Appropriations.* No state official, commissioner or trustee having or exercising functions and duties with respect to initiating expenditures, manifesting or approving claims, or paying out public funds appropriated by the general court shall use any part of such funds for any other purpose than that for which they were appropriated, or expend any money or make any contract or bargain, or in any way bind the state in excess of the amount voted by the legislature.

36. *Personal Liability.* Any person who violates the provisions of the preceding section individually or as a member of a board shall be personally liable for the amount of the excess expended, contracted, or bargained above the appropriation.

37. *Removal.* Any state official, commissioner, or trustee who shall violate said provisions shall be removed by the governor, and his successor shall be appointed in conformity to the law providing for filling vacancies in such positions.

38. *Dissenting Officials Not Liable.* Sections 36 and 37 shall not apply to members of boards or commissions who do not aid in, sanction, or assent to a violation thereof by other members of such boards or commissions, and who, when such violations come to their knowledge, shall indicate their dissent by entry thereof in the records of the respective board or commission and in the office of the secretary of state.

Regulation of Certain Payments and Expenditures

39. *Extra Compensation Prescribed.* No state official or person regularly employed in the state classified service shall be paid compensation for services by the state in addition to salaries or overtime compensation provided by statute or compensation prescribed or overtime compensation approved by the personnel commission. No state official or person regularly employed in the state classified service shall be paid moneys as overtime compensation or as expenses, except in reimbursement of services performed or authorized expenses actually incurred, or in advancement of authorized expenses actually to be incurred.

40. *Out of State Trips.* Expenses for out-of-state trips by state officials or employees shall not be a charge against the state unless advance authorization has been procured from the governor and council.

41. *Exception.* The provisions of the preceding section shall not apply to expenses for trips incident to the regular conduct of state business when undertaken by only one person within a department, and provided such trips are within the department's available appropriations and funds.

42. *Purchase of Supplies.* Purchases of legislative supplies, including printing, shall be made only by the director

of purchase and property on requisition of the clerk of one of the legislative bodies or of the secretary of state. All supplies unused at the end of the session shall be delivered into the custody of the secretary of state for future legislatures.

43. *Payment for Services.* All persons performing work in the service of the state of New Hampshire shall be paid their compensation at such intervals, not more often than weekly, as the comptroller with the approval of the governor and council shall determine.

Motor Vehicle Road Tolls

44. *Disposal of Revenue.* All revenue from the motor vehicle road toll law, as provided by chapter 120 of the Revised Laws, after paying the expense of collection, is to be disposed of in like manner as the revenue from the registration fees of motor vehicles, except as provided in the following section:

45. *Exception.* Annually on or before June one the motor vehicle commissioner shall compare the number of gallons on which refunds have been made for the preceding calendar year for fuel used in the propulsion of boats on inland public waters of the state, with the number of gallons of such fuel sold and delivered directly into the fuel tanks, or supplementary fuel tanks, of boats or outboard motors upon the inland public waters for use in such boats or outboard motors, as reported to him, and if there be any balance of unrefunded tolls so collected, he shall report the same to the state treasurer who shall, on July one, next following, credit such balance to the public service commission, having jurisdiction over the navigation of such boats or motors. Funds so credited shall be used for the promotion of the safety of such navigation, and any balance remaining in said funds at the end of each fiscal year shall not lapse. The commissioner shall pay monthly to the state treasurer all revenue from the aircraft landing area toll.

46. All provisions of the Revised Laws and Session Laws relating to the functions and duties of the state treasurer and the disbursement of state funds shall be controlled by the provisions of this chapter as herein enacted and construed consistently with the provisions herein. All inconsistent pro-

visions are hereby repealed, whether or not expressly referred to herein.

2. *Repeal.* The following provisions of chapter 5 of Laws of 1950, the Reorganization Act of 1950, are hereby expressly repealed: paragraph V of section 5, of chapter 23-A of the Revised Laws as enacted by section 1 of Part 6.

3. *Takes Effect.* This act shall take effect July 1, 1951.

The report was accepted and the amendment laid upon the table under Rule No. 48 to be taken up June 13.

Mr. Foote of Portsmouth, for the Committee on Liquor Laws, to whom was referred House Bill No. 85, An act relating to prohibited sales of alcoholic beverages, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sawyer of Concord, for the Committee on Judiciary, to whom was referred House Bill No. 335, An act relative to licensing of hawkers and peddlers, reported the same with the amendment as printed on pages 7 and 8 of the Journal of June 5, 1951, and the recommendation that the bill as amended ought to pass.

The report was accepted.

The question being on the amendment.

Mr. Perkins of Concord moved to recommit, with amendment pending, to the Committee on Judiciary.

(Discussion ensued)

Messrs. Perkins of Concord and Pickett of Keene spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mrs. Miller of Fitzwilliam, for the Committee on Transportation, to whom was referred House Bill No. 142, An act to compel the Boston & Maine Railroad to restore the double track on its line to Boston between Concord and the state line, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Transportation, to whom was referred House Bill No. 142, An act

to compel the Boston & Maine Railroad to restore the double track on its line to Boston between Concord and the state line, having considered the same and being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

EDWARD J. CAVANAUGH,
JOHN ROCHE,
A Minority of the Committee.

The report was accepted.

Mr. Young of Pittsfield moved to substitute the minority report, ought to pass, for the majority report, inexpedient to legislate.

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Young of Pittsfield, Wells of Newton and Mrs. Richards of Exeter spoke in favor of the motion.

Messrs. Leach of Rochester, Marden of Chichester and Vogel of Canterbury spoke against the motion.

Mr. Nelson of Milford moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute the minority report for that of the majority.

On a *viva voce* vote the motion prevailed.

The question being, Shall the bill be read a third time?

On motion of Mr. Pickett of Keene the rules were suspended to allow a third reading and final passage at the present time of House Bill No. 142.

The bill was read a third time and passed and sent to the Senate for concurrence.

Reconsideration

Mr. Young of Pittsfield moved that the House reconsider its vote whereby it passed House Bill No. 142.

On a *viva voce* vote the motion did not prevail.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with

the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives.

House Bill No. 422, An act legalizing the annual meeting in the town of Mason.

House Bill No. 432, An act relative to borrowing by Belknap County.

House Bill No. 433, An act validating certain proceedings of the town of Marlborough.

The message further announced that the Senate had voted to non-concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives.

House Bill No. 372, An act relating to the sale of securities and defining a dealer therein.

House Bill No. 409, An act relative to settlement of insolvent estates without a commission.

House Bill No. 428, An act relative to the approval of bonds and sureties.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 304, An act relative to the ballot law commission.

Amend the title of said bill by striking out the same and inserting in place thereof the following: An act providing for the issuance of a political calendar for election purposes.

Amend said bill by striking out sections 1 and 3.

Further amend said bill by striking out section 2, renumbering to read section 1 and inserting in place thereof the following:

1. *Elections.* Amend chapter 33 of the Revised Laws by inserting at the end thereof the following new subdivision:

Political Calendar

96. *Authority to Prepare.* Prior to the primary election the attorney general shall prepare a political calendar setting forth the dates when required action under the election laws must be taken. Any action taken by any candidate or official

in connection with the primary or election laws which shall be taken in accordance with the dates set forth in said calendar shall be conclusively deemed to be seasonably taken for all purposes in connection with the primary and election laws. The expense of printing said political calendar shall be a charge upon the appropriation for the office of the attorney general.

Further amend said bill by renumbering section 4 to read section 2.

On motion of Mr. Moore of Bradford the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 413, An act conferring jurisdiction upon the Superior Court of actions founded on express contract.

Amend the title of the bill by striking out the words "or implied" so that said title as amended shall read as follows:

An act conferring jurisdiction upon the superior court of actions founded on express contract.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Actions on Contracts.* Amend chapter 370 of the Revised Laws by adding after section 21 the following new section: 22. *Jurisdiction, Actions Against State.* The superior court shall have jurisdiction to enter judgment against the State of New Hampshire founded upon any express contract with the state. Any action brought under this section shall be instituted by bill of complaint and shall be tried by the court without a jury. The jurisdiction conferred upon the superior court by this section includes any set-off, claim or demand whatever on the part of the state against any plaintiff commencing an action under this section. The attorney general upon the presentation of a claim founded upon a judgment against the state shall submit the claim to the department or agency which entered into the contract

and said department or agency shall manifest said claim for payment from the appropriation under which the contract was entered into, provided that if there is no sufficient balance in said appropriation the attorney general shall present said claim to the general court for the requisite appropriation.

Mr. Perkins of Concord moved that the House non-concur in the amendments sent down from the Honorable Senate, and that a Committee of Conference be appointed.

On a *viva voce* vote the motion prevailed.

The Speaker appointed as members of such committee on the part of the House, Messrs. Tilton of Laconia, Ward 4, Hines of Windsor and Pelletier of Nashua, Ward 8.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 83, An act relative to verification of check lists in certain cases.

Senate Bill Read and Referred

Senate Bill No. 83, An act relative to verification of check lists in certain cases.

Read a first and second time and referred to the Committee on Municipal and County Government.

Resolutions

Mr. Peever of Salem offered the following resolution:

Resolved, That the Justices of the Supreme Court be respectfully requested to give their opinion upon the following questions:

1. May the legislature impose a tax at the rate of 5 per cent on all meals, exempting therefrom all meals of less than $1.00, as proposed in House Bill No. 429 in new draft?

2. May the legislature impose a tax on admissions as proposed in House Bill No. 429 in new draft?

3. Does any other provision of House Bill No. 429 in new draft violate the Constitution?

Further Resolved, That the Speaker of the House transmit a copy of this resolution and of House Bill No. 429, in new

draft, to the Clerk of the Supreme Court for consideration of said court.

On a *viva voce* vote the resolution was adopted.

Mr. Pickett of Keene offered the following resolution:

Resolved, That when the House adjourns today it adjourn in honor of Mr. and Mrs. Harry Worcester of Swanzey in recognition of their wedding of last night.

On a *viva voce* vote the resolution was adopted.

Mr. Leach of Rochester offered the following resolution:

Whereas, we have learned that Llewellyn F. "Skip" Fernald, Representative from Rochester for several sessions, is ill, therefore be it

Resolved, That we, the members of the House of Representatives, extend our sympathy to our fellow member in his illness and extend our best wishes for a speedy recovery to health, and be it further

Resolved, That a copy of these resolutions be transmitted to Representative Fernald.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended, business in order at 3:00 o'clock was made in order at the present time, and the third reading of bills were read by their titles only, and that when the House adjourns today it adjourns to meet Tuesday, June 12, at 11:00 o'clock.

Third Readings

House Bill No. 430, An act providing for a supplemental appropriation for state institutions.

Read a third time and passed, and sent to the Senate for concurrence.

On motion of Mr. Converse of Claremont at 1:05 o'clock the House adjourned.

TUESDAY, JUNE 12, 1951

The House met according to adjournment.

Prayer was offered by Rabbi Jacob Lantz of Concord.

Lord and Master of the Universe, we pray for Thy blessing in behalf of the elected members of this legislative body who serve the needs of the citizens of the State of New Hampshire and conscientiously labor for its welfare and progress.

In facing the many perplexing problems, grant them, O Lord, the wisdom and understanding of Solomon, the patience of Job and the prophetic zeal for justice. Enlighten the hearts of Thy servants and the minds of the peoples' representatives so that in the spirit of brotherhood they work united toward a more peaceful era wherein the interpretation and enacting of law shall be founded on Thy teachings and in the spirit of Thy mercy. Amen.

Leaves of Absence

Mr. Parker of Farmington was granted leave of absence for the day on account of illness.

Messrs. Hambleton of Goffstown and Durkee of Seabrook were granted leaves of absence for the day on account of important business.

Messrs. Ellsworth of Boscawen and Brown of Laconia were granted leaves of absence for the week on account of important business.

Resignation

The following resignation was accepted.

MR. LANE DWINELL, *Speaker*
House of Representatives
State House
Concord, N. H.

DEAR MR. SPEAKER:

It is with great regret that I am resigning as a representative to the General Court from Ward 4, Concord. I am submitting my resignation at this time in order that I may accept a federal position. The constitution of New Hamp-

shire would disqualify me from continuing to serve in the legislature when in the employ of the federal government.

I deeply regret that I am unable to complete my legislative term. By accepting this appointment, I hope that I may be able to assist both the state and the nation in the defense effort.

Very sincerely yours,

PHILIP H. BLODGETT

Committee Reports

Mrs. Corliss of Manchester, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bill:

House Bill No. 144, An act relating to carrying of concealed pistols and revolvers.

The report was accepted.

Mr. Wadleigh of Milford, for the Committee on Judiciary, to whom was referred Senate Bill No. 21, An act relative to appointment of acting town treasurers in certain cases, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relative to appointment of acting town and school district treasurers in certain cases.

The report was accepted.

Mr. Perkins of Concord moved that the bill and amendment be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Mr. Perkins of Concord spoke in favor of the motion.

On a *viva voce* vote the bill and amendment were indefinitely postponed.

Mr. Tilton of Ward 4, Laconia, for the Committee on Judiciary, to whom was referred Senate Bill No. 46, An act relating to a legatee or devisee deceased before testator, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Studley of Rochester, for the Committee on Judiciary, to whom was referred House Bill No. 319, An act relative to oaths under absentee voting procedure, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass:

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An act relative to voting procedures under absentee ballot law.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Absentee Voting.* Amend paragraph III, section 61, chapter 34 of the Revised Laws, as amended by section 3, chapter 20, Laws of 1943, by striking out said paragraph and inserting in place thereof the following:

III. Envelopes of sufficient size to contain the ballots specified in paragraph I, on which shall be printed the following:

All persons voting by absentee ballot shall subscribe and take the following oath:

State of .....
County of ..... ss.

I, ..., do solemnly swear (or affirm) that I am the identical person whom I represent myself to be; that I am a duly qualified voter in the city or town of ....., New Hampshire, in Ward .....; that I have a legal voting residence therein; and that I can read and write, or that I was a legal voter of this state on January 1, 1904. So help me God.

(Signature) .....

All persons voting by absentee ballot because of absence from the city or town in which he is entitled to vote also shall subscribe and take the following oath:

I, ..., do solemnly swear (or affirm) that I will be absent on election day from said city or town, and will be unable to vote in person; that I have read carefully the instructions forwarded to me with the ballot herein enclosed that

I have marked, enclosed, and sealed the within ballot as stated hereon by the person taking my oath. So help me God.

(Signature) .....

All persons voting by absentee ballot because of physical disability also shall subscribe and take the following oath:

I, ..., do solemnly swear (or affirm) that I am a qualified voter in the city or town of ....., New Hampshire, in Ward ....., that on account of physical disability I am unable to vote in person; that I have carefully read the instructions forwarded to me with the ballot herein enclosed, and that I have marked, enclosed and sealed the within ballot as stated hereon by the person taking my oath.

(Signature) .....

Subscribed and sworn to before me by the above affiant this ..... day of ....., 19..., in the city or town of ....., State of ....., and I, under pains and penalties of perjury, hereby certify that when I was alone with the affiant, the affiant in my presence marked the ballot without my seeing how he marked it, after which he sealed said ballot, in this envelope. I had no communication with the affiant as to how he was to vote.

(Seal, if any)

Name.....
Official Title .....
Residence .....

(Physician's certificate)

I, ..., of (address) ....., hereby certify that I am the attending physician of the affiant, that I have made a careful examination and am satisfied that he is unable by reason of physical disability to vote in person.

(Signature) .....

All persons voting by absentee ballot because of total blindness also shall subscribe and take the following oath:

I, ..., do solemnly swear (or affirm) that I am a qualified voter in the city or town of ....., New Hampshire, in Ward ....., that on account of blindness I am unable to vote in person; that I understand the instructions forwarded to me with the ballot herein enclosed, and that I directed ....., of the city or

town of ....., State of ....., to mark, enclose, and seal the within ballot as stated hereon by the person taking my oath.

(Signature) .....

Subscribed and sworn to before me by the above affiant this ..... day of ....., 19....., in the city or town of ....., State of ....., and I, under pains and penalties of perjury hereby certify that when I was alone with the affiant, the affiant directed me to mark the ballot, that I marked the ballot in accordance with his instructions, enclosed and sealed said ballot in this envelope. I in no way attempted to influence the affiant as to how he was to vote.

(Seal, if any) Name.....
Official Title .....
Residence .....

(Physician's Certificate)

Amend said bill by inserting after section 1 the following new sections:

2. *Disqualification from Voting.* Amend section 10 of chapter 31 of the Revised Laws as amended by section 1, chapter 183, Laws of 1943, by striking out said section and inserting in place thereof the following:

10. *Temporary Absence.* A residence acquired by any person in any town shall not be interrupted or lost by a temporary absence therefrom, with the intention of returning thereto as his home, except as hereinafter provided. No person shall be deemed to have gained or lost a residence by reason of his presence or absence while employed in the service of the United States, nor while engaged in the navigation of the waters of the United States or of the high seas, nor while a student of any seminary of learning. No person while confined in any public prison or other penal institution shall be deemed to have gained a residence by reason of his presence therein but shall be deemed to have temporarily lost his voting residence during the time he is confined therein.

3. *Restriction on Absentee Ballots.* Amend section 62 of chapter 34 of the Revised Laws by inserting before the words "The papers" in the fourth line the words, Except for any per-

son confined in any public prison or other penal institution, so that said section as amended shall read as follows:

62. *Forwarding Forms.* The secretary of state shall retain for his own use so many of the papers provided for in the preceding section as he may deem sufficient, and shall supply each city and town clerk in the state with as many of them as he may deem necessary. Except for any person confined in any public prison or other penal institution, the papers mentioned in paragraphs II and V of section 61, shall, as soon as they can be prepared, be mailed or delivered to any person who applies therefor to the secretary of state or to any city or town clerk.

Further amend said bill by renumbering section 2 to read section 4.

The report was accepted.

The bill with the amendment pending was laid upon the table under Rule 48 to be taken up June 14.

Mr. Sawyer of Concord, for the Committee on Judiciary, to whom was referred House Bill No. 415, An act to abolish costs in criminal cases, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Costs.* The assessment of any costs against respondents in criminal cases is hereby forbidden and all laws whether or not specifically designated hereinafter are hereby repealed insofar as they assess costs against respondents in criminal cases; provided however, that costs involving transportation of prisoners up to the time of court arraignment may be assessed against respondents, in the discretion of the court.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 174, An act prohibiting games of beano on Sunday and playing of game by minors, having considered the same, recommend the Honorable Senate recede from the adoption of its amendments, the House recede from its posi-

tion of non-concurrence, and that the Honorable Senate and House of Representatives concur in the adoption of the following amendments:

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1. *Games of Beano.* Amend section 2 of chapter 171-A of the Revised Laws as inserted by Chapter 292 of the Laws of 1949 by striking out said section and inserting in place thereof the following: 2. *License.* The selectmen of a town or the chief of police of any city wherein the provisions of this chapter have been adopted may issue to any charitable organization within such town or city a license to conduct games of beano on not more than five days in any one calendar month, provided however, that such issuing authority may issue to any agricultural fair eligible for benefits under the provisions of section 18 of Chapter 171 of the Revised Laws, as amended, a license to conduct games of beano during those days the agricultural fair holds its annual bona-fide agricultural exhibition, under the following conditions:

I. The license shall authorize games on specified dates at specified times and at a specified location.

II. Such license shall not be transferable.

III. All games conducted by charitable organizations shall be operated by members thereof, and games conducted by agricultural fairs shall be operated by such persons as may be designated or selected by said agricultural fair and the name and address of such persons shall be endorsed upon the back of the license.

IV. The price to be paid for a single card or play under the license shall not exceed ten cents.

V. No person under the age of eighteen years shall be admitted to any room or hall where said games are being conducted, or shall be permitted to play beano at agricultural fairs, but this section shall not otherwise apply to other games conducted on agricultural fair grounds.

VI. No games of beano shall be played on Sunday.

VII. All prizes, tokens or awards used, given, offered or awarded during, after or in connection with the conduct of any game or series of games conducted, other than at an agricultural fair, in any calendar day shall not exceed the total amount of value of eight hundred dollars.

VIII. No games shall be conducted prior to 11:00 o'clock in the forenoon, or subsequent to 11:00 o'clock in the night time of the same day.

IX. The organization conducting any agricultural fair shall not charge any charitable organization greater ground rent, concession, or other fees for a location for conducting games of beano than is charged for the same or similar locations for other types of concessions on the fair grounds.

Amend the bill by inserting after section 1 the following new sections:

2. Amend section 7 of chapter 171-A of the Revised Laws, as inserted by chapter 292 of the Laws of 1949, by striking out said section and inserting in place thereof the following: 7. *Local Option.* The provisions of this chapter shall not become operative in any city or town until the same are adopted by a majority of the legal voters present and voting on the question at an annual or biennial city election in cities or at an annual meeting in towns. In cities, upon petition therefor, by three per cent of the legal voters as appear on the check lists at the preceding election, addressed to the city council or board of mayor and aldermen, and in towns upon written application therefor of ten or more voters, or one-sixth of the voters addressed to the selectmen, the following question shall be submitted to the voters at such election: "Shall the provisions of chapter 171-A of the Revised Laws relative to playing games of beano be adopted in this city or town?" In cities and in towns having an official ballot this question shall appear upon the official ballot. In towns where no official ballot is used to vote on the question shall be by special ballot. Proper provision shall be made on such ballot to permit the voter clearly to indicate his choice on the question.

3. Amend Chapter 171-A of the Revised Laws as inserted by Chapter 292 of the Laws of 1949 by inserting after section 7 the following new sections:

7-a. *Revocation.* A city or town that has adopted the provisions hereof may rescind such action in the same manner as provided for its adoption. The question, "Shall the provisions of Chapter 171-A of the Revised Laws relative to playing games of beano be declared no longer in effect in this city or town?" shall be printed on each ballot with

proper provisions for the voter clearly to indicate his choice.

7-b. *Time of Operation.* The provisions of this section shall not become operative in any city or town which has heretofore adopted the provisions of this chapter until the next city election in cities and the next annual meeting in towns.

Further amend said bill by renumbering section 2 to read section 4.

RAYMOND K. PERKINS,
GARDNER C. TURNER,
LAURENCE M. PICKETT,
Conferees on Part of House.

SUZANNE LOIZEAUX,
SHIRLEY M. BROWN,
Conferees on Part of Senate.

The question being on the report.

(Discussion ensued)

Mr. Perkins of Concord spoke in favor of the report.

On a *viva voce* vote the report was adopted.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolution with amendment, in the adoption of which amendment the Senate asksd the concurrence of the House of Representatives:

Resolved, by the House of Representatives, the Senate concurring, That the General Court meet in Joint Convention on Wednesday, June 20, 1951, at 11:00 A. M. for the purpose of electing a State Treasurer.

On motion of Mr. Sanborn of Wakefield the House concurred in the concurrent resolution.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 284, An act relating to trespassing on posted land.

Amend section 2 of the bill by amending section 14-c by adding in the second line thereof after the word "as" the word, cleared, and by deleting in the third line thereof the words "including open pasture" so that said section as amended shall read as follows:

14-c. *Definition.* Cultivated land within the meaning of this chapter is defined as cleared land from which a crop is annually taken or upon which domestic animals annually graze and land which is either burned or cut over once in every two years.

Further amend said bill by inserting after section 14-d the following new section 14-e:

14-e. *Obstructing Private Ways.* Any person who obstructs any private way or driveway by leaving unattended a motor vehicle thereon shall be deemed guilty of a disdemeanor, and, upon conviction thereof shall be fined not more than fifty dollars plus the cost of removing said obstruction including towing and storage charges. The owner or other person entitled to the unobstructed use of such a private way shall be entitled to remove any such vehicle.

Mr. Turner of Keene moved that the House concur in the amendment sent down from the Senate.

The question being on the motion to concur.

(Discussion ensued)

Messrs. Turner of Keene and Washburn of Bartlett spoke in favor of the motion.

Messrs. Fernald of Rochester and Pickett of Keene spoke against the motion.

Mr. Fernald of Rochester asked for a division, but subsequently withdrew his request.

On a *viva voce* vote the House concurred in the amendment sent down from the Senate.

The message also announced that the Senate has passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 88, An act increasing fees for sheriffs and deputies for Court attendance.

Senate Bill Read and Referred

Senate Bill No. 88, An act increasing fees for sheriffs and deputies for Court attendance.

Read a first and second time and referred to the Committee on Judiciary.

Opinion of Supreme Court

To the House of Representatives:

The undersigned Justices of the Supreme Court make the following answers to questions contained in your resolution adopted the twenty-ninth of May, 1951, concerning the power of the Legislature with respect to certain tax proposals.

Questions 1 and 2 apparently are designed to accomplish substantially the same result the primary objective of which is taxation of the sale of cigarettes. Since the constitutionality of the method suggested by your first inquiry is doubtful, our answer is confined to the second inquiry.

In our recent opinion returned May 15, 1951, concerning a sales tax as proposed in House Bill No. 418, *Opinion of the Justices,* 97 N. H. . . . , . . . , we discussed the power of the Legislature to choose certain kinds of property for taxation and not others. It was there stated in part as follows: "The Legislature has liberal powers with respect to the classification of taxable property. *Canaan* v. *District,* 74 N. H. 517. It may be made for any just reason. *Opinion of the Justices,* 82 N. H. 561, 574. If there is such reason and the proposed selection is not arbitrarily made or for the sole purpose of preferring some taxpayers to others it will be upheld."

If chapter 79 of the Revised Laws is amended so that cigarettes sold at retail in this state are the only tobacco product to be taxed, the question arises whether they at the time of sale constitute a class of property within the meaning of Article 6 of Part II of the Constitution. The attributes of a class of property for purposes of taxation were considered at length both in *Havens* v. *Attorney General, supra,* 119, and in *Opinion of the Justices,* 94 N. H. 506, 508. Cigarettes are a distinctive class of property. By themselves they are the sub-

ject of taxation in many of the states in this country, and are considered by economists an appropriate subject of taxation. They are extensively used and may be productive of much tax income. They are not a necessity and their taxability is made to depend upon an easily recognized event, a sale. Collection of the tax is not difficult and is certain. Finally, cigarettes with other forms of tobacco are the subject of statutes which forbid sales and gifts to minors. The answer to the second question is, "Yes."

Our understanding of the third question is that in effect it asks whether it would be constitutional to abolish the present tax on stock in trade and impose a tax on the income of merchants and manufacturers derived from their stock in trade. A comparable enactment, substituting for a tax on specified property a tax upon the income therefrom (Laws 1923, chapter 65), was considered and approved in *Conner* v. *State*, 82 N. H. 126. An inquiry similar to your third question was answered in the affirmative in *Opinion of the Justices*, 82 N. H. 561. There (p. 562) the question was: "Would any constitutional provision be violated by imposing a tax at a fixed rate on net incomes derived from manufacturing and mercantile business carried on within the state, as proposed in said House Bill No. 300?" Although the inquiry was construed to relate to the validity of a rate different from that of the general property tax (p. 566), the question as stated above was not so limited. The answer of the Court was given on page 570 as follows: "It is our opinion that an income tax at a fixed rate is constitutional."

However, it was held that, with respect to the taxation of incomes, "the rate must be uniform." *Opinion of the Justices*, 82 N. H. 561, 570. This means that the rate of the suggested tax and that upon the income from intangibles should be the same. The income from the two sources would constitute one class for purposes of establishing a rate for taxation. "All income taxes must be laid at a common rate." *Opinion of the Justices*, 84 N. H. 559, 571. See also, *Opinions of the Justices*, 82 N. H. 561, 570 *et seq.*; 95 N. H. 537.

If the tax proposed by question 3 is a tax upon the net income of merchants and manufacturers derived from stock in trade, to be imposed in lieu of the general property tax upon stock in trade, and at the same rate as the existing tax

upon income from interest and dividends (R. L., *c.* 78), the question is answered "yes."

FRANCIS W. JOHNSTON,
FRANK R. KENISON,
LAURENCE I. DUNCAN,
AMOS N. BLANDIN, Jr.
EDWARD J. LAMPRON.

June 12, 1951.

Mr. Turner of Keene moved that the House resolve into a committee of the whole.

The question being on the motion.

(Discussion ensued)

Mr. Turner of Keene spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

The House resolved itself into a committee of the whole.

Committee of the Whole

(Mr. Henry G. Wells of Newton in the Chair)

(The Speaker in the Chair)

Mr. Wheeler of Keene offered the following resolution:

Whereas one of the Honorable members of this House, Milan Collins of Keene, has been under the doctor's care for the past several months and,

Whereas it may be some time before he will be able to return to his duties in this honorable body,

Now, Therefore be it Resolved, That this honorable body extend its best wishes for a speedy recovery and,

Furthermore, be it resolved that the Clerk of this body forward a copy of this resolution to our fellow Representative.

On a *viva voce* vote the resolution was adopted.

Mr. Jones of Lebanon offered the following resolution:

Resolved, That the Committee on Ways and Means, to whom was referred House Bill No. 419, An act to increase certain revenues, be hereby instructed to report said bill to the House on next Tuesday, June 19.

The question being on the resolution.

(Discussion ensued)

Messrs. Jones of Lebanon and Pickett of Keene spoke in favor of the resolution.

Messrs. Pillsbury of Manchester, Bass of Peterborough, Sanborn of Wakefield and Wadleigh of Milford, spoke against the resolution.

Mr. Pillsbury of Manchester moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the resolution.

On a *viva voce* vote the resolution was not adopted.

On motion of Mr. Wadleigh of Milford, the rules were suspended, business in order at 3 o'clock was made in order at the present time and the third reading of a bill by its title was made in order.

Third Reading

House Bill No. 415, An act to abolish costs in criminal cases.

Read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Bell of Plymouth at 1:25 o'clock the House adjourned.

WEDNESDAY, JUNE 13, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God of power and might, who didst labor to create the world and the universe and all things therein; at Thy command the morning light wakes the world to action and service. We are grateful for the blessings of work, and for the privilege of industry. Thou hast set great tasks before us; keep us steadfast to meet the obligations that devolve upon us. Spare us, we pray Thee, from unmanly ease and selfish luxury that, by industry of brain and hand, and guiding of Thy Spirit, we may go forward to work with Thee to build a better Commonwealth.

And Thy name shall have all the praise. Amen.

Leaves of Absence

Messrs. Hambleton of Goffstown, Powell of Sutton and Freeman of Concord were granted leaves of absence for the day on account of important business.

Mr. O'Neil of Keene was granted leave of absence for the rest of the week on account of important business.

Mr. Libby of Brentwood was granted leave of absence until July 1, on account of military duty.

Committee Reports

Mr. Holden of Hanover, for the Committee on Judiciary, to whom was referred Senate Bill No. 10, An act relating to the state treasurer, reported the same with the amendment as printed on pages 5 to 19 in the Journal of June 7, 1951, and the recommendation that the bill as amended ought to pass.

The report was accepted.

The question being on the adoption of the amendment.

Mr. McMeekin of Haverhill moved that the bill and amendment be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Messrs. McMeekin of Haverhill, Skinner of Orford, Crosby of Hillsborough, Ferguson of Pittsfield and Turner of Keene spoke in favor of the motion.

Messrs. Holden of Hanover, Perkins of Concord, Pickett of Keene, Daniels of Manchester, Turner and Rathbone of Exeter and Mrs. Brungot of Berlin spoke against the motion.

Mr. Hart of Wolfeboro moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the motion prevailed, and the bill and amendment were indefinitely postponed.

On motion of Mr. Chase of Dover the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mrs. Winters of Rochester, for the Committee on Military and Veterans Affairs, to whom was referred House Joint Resolution No. 39, Joint resolution for the celebration of John Stark Day on August 9, 1952, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Ruling of the Speaker on Rule 26

The inquiry of the member from Keene calls for a ruling on Rule 26 which is as follows: When a question is postponed indefinitely, the same shall not be acted upon during the session except by unanimous consent.

The point to be determined is whether the "question" as referred to in Rule 26, applies only to a particular bill or resolution on which the motion to indefinitely postpone is made, or whether the "question" can also apply to other bills or resolutions not yet acted on by the House which contain similar, but not identical, subject matter.

The Chair has conducted a diligent search of the precedents of this House, of the National House of Representatives and of various parliamentary authorities and can find no instance where the motion to indefinitely postpone has been considered to apply beyond the particular bill under consideration. The National House of Representatives has a rule adopted in 1806 which is practically identical in wording to Rule 26. This rule has been construed to mean that "the proposition is finally rejected and passes from the files of the House, also that the motion to reconsider does not apply, as reconsideration would bring the question forward to be acted upon again the same session." (Manual of U. S. Parliamentary Practice—Hughes and Clifton.)

"A question is the parliamentary form or device by which a proposition is presented to the House for debate, amendment and the determination of what its opinion or judgment may be upon that particular matter." (Manual of U. S. Parliamentary Practice—Hughes and Clifton.)

It is quite conceivable that any broader interpretation of Rule 26 applied to an unemployment compensation measure, for example, would preclude consideration by the House of any unemployment compensation legislation for the balance of the session. Similarly, an indefinite postponement of a bill

changing the season for taking wild deer would foreclose any further consideration of other legislation on the same general subject.

To consider a "question" as anything more than the subject matter of a particular bill or resolution would greatly impair proper and orderly parliamentary procedure. Not only would the presiding officer be constantly faced with fine decisions as to what constitutes related subject matter, but also the House, itself, would arbitrarily forfeit its right to pass judgment on much pending legislation.

In view of the above considerations it is the ruling of the Chair that the motion to indefinitely postpone under Rule No. 26, has no effect beyond the particular bill or resolution to which it is applied.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to adopt the report of the Committee of Conference on House Bill No. 174, An act prohibiting games of beano on Sunday and playing of game by minors.

The message further announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 413, An act conferring jurisdiction upon the Superior Court of actions founded on express contract.

The President appointed as members of such committee on the part of the Senate, Senators Hartnett and Brown.

The message further announced that the Senate had voted to non-concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 92, An act relative to division of the state for taking wild deer.

The message also announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 170, An act relating to federal aid for fish restoration projects.

House Bill No. 410, An act relative to aeronautical appropriations.

Resolution

Mr. Green of Rollinsford offered the following resolution:

Whereas, most committees will have completed their work by June 20, and

Whereas, the daily legislative sessions cost approximately $6,000.00 and most members are mindful of the expense of the legislature and have concern for the taxpayers, and

Whereas, many members feel that the attendance of all members is not essential for expediting business at the present time, therefore be it

Resolved, That, unless reports from the Committee on Appropriations or from the Ways and Means Committee are ready to be acted upon on Wednesday, June 20, when the New Hampshire House of Representatives adjourns on that day, it be to meet at 11:00 o'clock on Monday, June 25, and be it further

Resolved, That the House thereafter continue to meet for one day at five day intervals and adjourn at each meeting for the constitutional limit of five days until reports from the above named committees are ready for action, and be it further

Resolved, That the Committee on Appropriations and the Ways and Means Committee and the Judiciary Committee, be authorized to meet on those days when the House is adjourned so that the above mentioned committees may complete their work at the earliest possible date, and be it further

Resolved, That when the three above mentioned committees have sufficient reports ready for action the House reconvene for its regular sessions.

FRED GREEN,
NELLE HOLMES,
E. P. ELDREDGE,
NATHANIEL F. DAVIS,
EDWARD C. BLACK,
MARTHA FRIZZELL.

Mr. Green of Rollinsford moved that the resolution be made a special order for Thursday, June 14, at 11:01 o'clock.

The question being on the motion for a special order.

(Discussion ensued)

Mrs. Holmes of Amherst spoke in favor of the resolution.

Messrs. Pillsbury of Manchester, Sanborn of Wakefield, Pickett of Keene, Bass of Peterborough, McMeekin of Haverhill and Means of Milan and Mrs. Brungot of Berlin spoke against the motion.

On a *viva voce* vote the motion for a special order did not prevail.

The question being on the adoption of the resolution.

On a *viva voce* vote the resolution was not adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended and business in order at 3:00 o'clock was made in order at the present time and the third reading of a joint resolution was read by its caption only.

Third Reading

House Joint Resolution No. 39, Joint resolution for celebration of John Stark Day, August 9, 1951.

Read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Walker of Hinsdale at 12:50 o'clock the House adjourned.

THURSDAY, JUNE 14, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

Almighty God, the giver of freedom to mankind, on this day, known among us as Flag Day, make us more deeply sensible of our responsibility as free men and women. Help us to give something more than mere lip service as an expression of our appreciation of our flag, the symbol of our liberty. Make us worthy sons and daughters of those who have given

their lives that we might have this symbol of freedom. O God, remind us always that its red symbolizes the sacrifices that have been made for it, the white for morality and character, and blue for fidelity, are the principles by which we must live to keep it still floating above us. In the name of Jesus Christ. Amen.

Leaves of Absence

Mr. Sterling of Hillsborough was granted leave of absence for the day on account of important business.

Mrs. Kendall of Exeter was granted leave of absence for the day on account of important business.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules, House Bill No. 446, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1952. Referred to the Committee on Appropriations.

By the Committee on Rules, House Bill No. 447, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1953. Referred to the Committee on Appropriations.

Mr. Sanborn of Wakefield moved that the rules be suspended to allow the Committee on Appropriations to hold a public hearing on House Bills Nos. 446 and 447, on Tuesday, June 19.

The question being on the motion.

(Discussion ensued)

Messrs. Sanborn of Wakefield and Pickett of Keene spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Committee Reports

Mr. Tilton of Ward 3, Laconia, for the Committee on Appropriations, to whom was referred House Bill No. 209, An act providing for distribution of advance sheets of session laws, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Cummings of Colebrook, for the Committee on Appropriations, to whom was referred House Joint Resolution, No. 31, Joint resolution in favor of Marvin D. Smith, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Ferguson of Pittsfield, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 34, Joint resolution in favor of Archie J. Young, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Kelley of Littleton, for the Committee on Appropriations, to whom was referred Senate Joint Resolution No. 5, Joint resolution in favor of William Gauley, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Barron of Claremont, for the Committee on Appropriations, to whom was referred House Bill No. 297, An act relative to eligibility for old age assistance of certain persons, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Henderson of Durham, for the Committee on Appropriations, to whom was referred House Bill No. 354, An act ratifying a proposed compact with certain states specified providing for abatement of existing pollution and control of future pollution of interstate waters, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Pillsbury of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 411, An act relating to inspectors in the department of labor, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Pillsbury of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 443, An act extending the appropriation for the so-called children's study home, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the figure "1954" in the fourth and twelfth lines and inserting in place thereof the figure, 1953, so that said section as amended shall read as follows: 1. *Extension of Appropriation.* Amend section 8 of chapter 8 of the Laws of 1950, by striking out the figure "1951" where it occurs in the sixth line and inserting in place thereof the figure, 1953, so that said section as amended shall read as follows: 8. *Children's Study Home.* The appropriation provided by section 9 of chapter 279 of the Laws of 1947, and the authority to issue bonds or notes thereunder, relative to improvements at the children's study home, shall not lapse but shall be continued and made available for the purposes of said section for the period from the passage of this act until June 30, 1953.

The report was accepted, amendment adopted, and the bill ordered to a third reading.

Mr. Kelley of Littleton, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 3, Joint resolution relative to application of proceeds from sale of certain property at the state prison, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted.

Mr. Pillsbury of Manchester moved that House Joint Resolution No. 3 be recommitted to the Committee on Appropriations.

The question being on the motion to recommit.

(Discussion ensued)

Messrs. Pillsbury and Martel of Manchester, Ferguson of Pittsfield and Barron of Claremont spoke in favor of the motion.

Messrs. Barry of Wilton, Charland of Franklin and Cummings of Colebrook and Mrs. Goodwin of Hollis spoke against the motion.

On a *viva voce* vote the motion prevailed.

Mr. Martel of Manchester asked for a division.

A division being had, 102 members having voted in the affirmative and 175 members having voted in the negative, the motion to recommit did not prevail.

The bill was ordered to a third reading.

Mr. Walsh of Keene, for the Committee on Education, to whom was referred Senate Bill No. 53, An act legalizing the 1951 school district meeting in the town of Jackson, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Swain of Barrington, for the Committee on Education, to whom was referred Senate Bill No. 57, An act relative to election and qualification of school district officers, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Woodward of Waterville, for the Committee on Education, to whom was referred Senate Bill No. 60, An act relative to secretaries of supervisory unions, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Griffin of Auburn, for the Committee on Education, to whom was referred House Bill No. 406, An act to relieve the shortage of teachers in the public elementary schools, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by striking out all after the first section and inserting in place thereof the following:

2. *Single Salary Schedule.* It is declared to be the policy of the state that there be established a state-wide single

minimum salary schedule for all teachers of like qualifications in the public elementary and secondary schools, with a recommendation for periodic increases of salary to be awarded upon the basis of professional improvement and satisfactory teaching experience. The commissioner of education with the approval of the state board of education is authorized to adopt rules and regulations to carry out the declared policy of this section and such rules and regulations shall be binding upon all school districts.

3. *Improved Personnel Relations and Living Conditions.* The commissioner of education, subject to the approval of the state board of education, is authorized and directed to prepare and publish a handbook of desirable teacher-personnel policy and procedures covering such subjects as contractual relationships, terms of employment, promotion, termination of contract, suggested salary schedules, living quarters, working conditions, and other related matters for the use and guidance of local school districts. In the preparation of this handbook the commissioner shall consult with the state association of school boards, the state association of school superintendents, and the state teachers' association.

4. *Teacher Recruitment Program.* The commissioner of education, working with the presidents of the two state teachers' colleges, shall expand the program for recruiting candidates for elementary school teaching. This program shall include the preparation of suitable printed material for prospective teachers; a definite plan for the cooperation of superintendents, school principals, and teachers in the effort; periodic visits to secondary schools by representatives of the teachers' colleges to interview prospective teachers; and the development of general publicity on the problem. It shall also include an appeal to appropriate civic organizations in the state to aid in promoting interest in the teaching profession. This program shall be reviewed from time to time by the council on teacher education.

5. *Scholarship Aid.* In addition to such tuition scholarships as are available there is hereby appropriated the sum of ten thousand dollars, ($10,000.) for the fiscal year ending June 30, 1952 and a like sum for the fiscal year ending June 30, 1953 for carrying out the purposes of scholarship aid, to be made available in the two state teachers' colleges for

students who indicate their intention of studying to qualify as public elementary school teachers and who enter into appropriate agreements to teach in public elementary schools of this state after graduation. Such agreements shall apply to all state scholarships in the teachers' colleges and shall include a binding undertaking to repay to the state the aid received, if the agreements are broken. The commissioner of education, subject to the approval of the state board of education, is authorized to make rules and regulations for the administration of such scholarship aid, and the president of each teachers' college shall execute the said program in conformity with such rules and regulations.

6. *Co-ordination of Teacher-Education Curricula.* It is declared to be the policy of the state that there be a greater coordination of the teacher education curricula of the University of New Hampshire, Keene Teachers' College and Plymouth Teachers' College in order that duplication may be avoided and greater emphasis placed upon elementary education. To this end it is declared to be the policy of the state that commencing in September 1951 (1) the teacher education curriculum at the University of New Hampshire shall be devoted primarily to secondary education, provided that the University shall continue to offer instruction in art, music, physical education and school administration; and (2) the teacher education curriculum of Keene Teachers' College and Plymouth Teachers' College shall be devoted to elementary teacher education, but may include a dual elementary-secondary program designed to qualify students as elementary school teachers, but enabling them also to qualify, by proper selection of courses, as secondary teachers, providing that these teachers' colleges shall continue to prepare secondary teachers in home economics, trades and business education. The conversion of existing curriculum in each institution shall be carried out by its president.

7. *Training Program for Emergency-Permit Teachers.* The commissioner of education, subject to the approval of the state board of education, is authorized and directed to establish, supervise and carry out a program of in-service training for emergency-permit teachers in the public elementary schools of the state in order to improve the efficiency and quality of teaching. For this purpose the commissioner is authorized to employ an assistant and to arrange for regional workshops

and extension courses. For the purpose of carrying out this section the sum of six thousand dollars, ($6,000.) is appropriated for the fiscal year ending June 30, 1952 and a like sum for the fiscal year ending June 30, 1953, for the payment of salaries and other operating expenses of such program.

8. *Report.* The commissioner of education shall biennially report to the general court in his regular report the progress being made under this act in alleviating the shortage of teachers in the public elementary schools. He shall, subject to the approval of the state board, recommend the termination of the programs established by this act whenever such shortage has been sufficiently relieved, so that the said programs or one or more of them are no longer necessary.

9. *Limitation.* The conversion of existing curricula provided for hereunder shall not prevent any student enrolled at a teachers' college prior to September, 1950, from completing his courses at said college in the field of secondary education.

10. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted.

The bill with the amendment pending was laid upon the table to be printed under Rule No. 48, to be taken up Wednesday, June 20.

Mr. Tilton of Ward 4, Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 160, An act relating to real estate brokers and salesmen, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the last paragraph of section 1 of the bill by striking out the same and inserting in place thereof the following:

The provisions of this chapter shall not apply to any person, partnership, association, or corporation who as owner, lessor or lessee shall perform any of the acts aforesaid with reference to property owned or leased by or to said owner or lessor, or to the regular employees thereof, with respect to the property so owned or leased, where such acts are performed in the regular course of, or as an incident to the management of such property and the investment therein, nor

shall the provisions of this chapter apply to persons acting as attorney in fact under a duly executed power of attorney from the owner in proper form for record, authorizing the final consummation by performance of any contract for the sale, leasing, or exchange of real estate, nor shall this chapter be construed to include in any way the services rendered by an attorney at law in the performance of his duties as such attorney at law; nor shall it be held to include, while acting as such, a receiver, trustee in bankruptcy, administrator, or executor, or any person selling real estate under order of any court nor to include a trustee acting under a trust agreement, deed of trust, or will, or the regular salaried employees thereof.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2. *Real Estate Commission.* There is hereby established a real estate commission to consist of the state insurance commissioner who shall be the chairman thereof and two persons engaged in the business of selling real estate to be appointed by the governor with the advice and consent of the council. The term of each member shall be for two years and until a successor is appointed and qualified. Of the first two appointments one member shall be appointed for one year and one for two years. Vacancies shall be filled for the remainder of any term in the same manner.

Amend section 3 of the bill by striking out the word "ten" in the third line and inserting in place thereof the word, five, so that said section as amended shall read as follows:

3. *Qualifications; Expenses.* Members of the commission shall be real estate brokers of good repute in their respective communities who have been engaged as such for five or more years. They shall receive no compensation for their services, but shall be allowed their reasonable expenses while on business of the commission.

Amend section 5 of the bill by striking out the same and inserting in place thereof the following:

5. *Applications for License.* Applications for the licenses required by this chapter shall be made in writing to the commission, on such forms and in such manner and accompanied by such evidence in support of such application

as shall be prescribed by the commission. In the case of resident brokers and salesmen, application for a license in the first instance shall be accompanied by the recommendations of two officers of banks or trust companies in the county in which such applicant resides certifying that the applicant bears a good reputation for honesty, competency, and fair dealing. In the case of non-resident brokers and salesmen, the application shall be accompanied by the recommendations of two officers of banks or trust companies, one of whom shall be a resident of New Hampshire and one of whom shall be a resident in the county in which the applicant resides. The application for a salesman's license shall be accompanied by a written statement of the employing broker stating that in his opinion the applicant is honest, competent and of good reputation. No license shall be issued to a person under twenty-one years of age.

Amend section 6 of the bill by striking out the word "may" in the third line and inserting in place thereof the word, shall, so that said section as amended shall read as follows:

6. *Issuing Licenses.* Upon being satisfied that the applicant is of good repute, reliable, suitable and entitled to public confidence, the commission shall issue a license to such applicant in the capacity requested in the application. Licenses shall be issued for the period of one year and shall expire one year after date of issue.

Amend section 9 of the bill by striking out the same and inserting in place thereof the following:

9. *Non-Residents; Service and Process.* Every non-resident applicant shall file a stipulation appointing the chairman of the commission and his successor in office as his true and lawful attorney upon whom may be served all lawful process in any action or proceeding against him, and the authority given in such appointment shall continue in force so long as any liability to any resident of this state remains unsatisfied. Service of such process shall be accompanied by a fee of two dollars, and such service shall be sufficient, provided that notice thereof and a copy of the process are forthwith sent by registered mail by the plaintiff or his attorney to the defendant.

Amend section 10 of the bill by striking out the same and inserting in place thereof the following:

10. *Certificate and Card.* The commission shall prepare and issue to each licensee a pocket card and a certificate showing that a license has been granted. The certificate shall be conspicuously displayed within the licensee's place of business.

Amend section 12 of the bill by inserting after the word "period" in the third line the words, not exceeding one year, so that said section as amended shall read as follows:

12. *Revocation or Suspension.* After hearing and for cause shown the commission may revoke the license of any real estate broker or salesman or suspend the same for such period not exceeding one year as they may deem proper. Cause shall be based upon a finding that such licensee has been guilty of dishonest, deceitful, or fraudulent conduct in connection with his business as such broker or salesman, or upon the finding that such licensee is an unsuitable person or not entitled to public confidence.

Amend section 15 of the bill by striking out the word "thirty" in the fifth line and inserting in place thereof the word, sixty, so that said section as amended shall read as follows:

15. *Appeal.* The action of the commission in refusing, revoking or suspending, or refusing to revoke or suspend, a license shall be subject to review by appeal to the superior court at the instance of the applicant or licensee, or the complainant, if any, within sixty days after the filing of the commission's decision, in the county in which the applicant or licensee resides or has his principal place of business.

The report was accepted.

The bill, with the amendment pending, was laid upon the table to be printed, under Rule No. 48, to be taken up Wednesday, June 20.

Mrs. Cooper of Nashua, for the Committee on Judiciary, to whom was referred House Bill No. 155, An act relating to contracts to sell realty, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Perkins of Concord, for the Committee on Judiciary, to whom was referred House Bill No. 335, An act relative to licensing of hawkers and peddlers, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Hawkers and Peddlers.* Amend section 3 of chapter 188 of the revised laws by striking out the same and inserting in place thereof the following: 3. *Exceptions.* The provisions of this chapter relating to hawkers and peddlers shall not apply to wholesalers or jobbers selling to dealers only; nor to commercial agents or others selling by sample, lists, or catalogues; nor to any person selling provisions, food or candy products; nor to any person selling agricultural products or implements, fruit trees, vines, shrubs, nursery stock, books, newspapers, magazines, maps, pamphlets or the products of his own labor or the labor of his family.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Turner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 405, An act relative to a uniform collections division for state institutions, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 45 of chapter 22 of the Revised Laws as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

45. *Persons Chargeable.* Expenses incurred in such institutions or at the direction of the tuberculosis commission in any public or private institution or elsewhere by anyone having a father, mother, son, daughter, husband or wife whose weekly income or other resources are more than sufficient to provide a reasonable subsistence compatible with decency and health, may be recovered in an action by the director in the

name of the state, from either a father, mother, son, daughter, husband or wife, who are declared jointly and severally liable for such expenses, unless otherwise ordered by the court.

Amend section 46 of chapter 22 of the Revised Laws as inserted by section 1 of the bill by inserting before the word "court" in the second line the word, superior, so that said section as amended shall read as follows:

46. *Support Order.* Upon a petition for support filed by the director in the name of the state, the superior court may enter an order requiring persons legally chargeable for the support of a patient or inmate to contribute to the support of such patient or inmate. Anyone against whom an order is entered requiring a person to contribute to the support of such relative who fails to comply therewith shall be deemed to be in contempt of court and may be imprisoned not less than sixty nor more than ninety days.

Amend said bill by striking out sections 47, 48 and 49 of chapter 22 of the Revised Laws as inserted by section 1 of the bill.

Further amend said bill by renumbering sections 50, 51, 52, 53, 54, 55 and 56 of said chapter 22 of the Revised Laws as inserted by section 1 of the bill to read sections 47, 48, 49, 50, 51, 52 and 53.

The report was accepted.

Mr. Healy of Ward 6, Manchester, moved that the bill with the amendment pending be laid upon the table, and made a special order for Tuesday, June 19 at 11:01 o'clock.

The question being on the motion for a special order.

(Discussion ensued)

Mr. Healy of Ward 6, Manchester, spoke in favor of the motion.

Messrs. Turner of Keene and Sanborn of Wakefield spoke against the motion.

On a *viva voce* vote the motion did not prevail.

The question being on the adoption of the amendment.

Mr. Healy of Ward 6, Manchester, moved that the bill and amendment be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Mr. Healy of Ward 6, Manchester, spoke in favor of the motion.

Messrs. Barry of Wilton, Pickett and Turner of Keene, O'Shan of Laconia, Ferguson of Pittsfield and Perkins of Concord, and Mrs. Cooper of Nashua, spoke against the motion.

Mr. Wadleigh of Milford moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the motion did not prevail.

The question being on the adoption of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mrs. Cooper of Nashua, for the Committee on Judiciary, to whom was referred House Bill No. 344, An act relating to motor vehicles carrying passengers and property for hire, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Healy of Ward 6, Manchester, for the Committee on Judiciary, to whom was referred Senate Bill No. 75, An act to provide for short-form deeds, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 11 of said bill by striking out the words "be sufficient" in the fourth line and inserting in place thereof the words, constitute a clear expression of intention, so that said section as amended shall read as follows:

11. *Joint Tenancy.* Amend section 17 of chapter 259 of the Revised Laws by adding at the end thereof the following: The addition, following the names of the grantees in the granting clause of a deed or devise, of the words, "as joint tenants with rights of survivorship" shall constitute a clear expression of intention to creat a joint tenancy, so that said section as amended shall read as follows: 17. *Tenants in Common.* Every conveyance or devise of real estate made to two or more persons shall be construed to create an estate in common and not in joint tenancy, unless it shall be ex-

pressed therein that the estate is to be holden by the grantees or devisees, or to them and the survivor of them, or unless other words are used clearly expressing an intention to create a joint tenancy. The addition, following the names of the grantees in the granting clause of a deed or devise of the words "as joint tenants with rights of survivorship" shall constitute a clear expression of intention to create a joint tenancy.

Amend section 12 of said bill by striking out the same and inserting in place thereof the following:

12. *Takes Effect.* All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect at midnight on the 31st day of July, 1951.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Horner of Thornton, for the Committee on Municipal and County Government, to whom was referred House Bill No. 437, An act relative to fees of registers of deeds, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Registers of Deeds.* Amend section 15 of chapter 49 of the Revised Laws by striking out said section and inserting in place thereof the following: 15. *Fees.* The following fees shall be paid for recording or copying services rendered by registers of deeds as follows:

I. Quitclaims, guardians, administrators' or warranty deed, three dollars.

II. Bank mortgage or building and loan mortgage, four dollars and fifty cents.

III. Federal land bank and FHA mortgages, six dollars.

IV. Mortgage with or without power of sale, three dollars.

V. Clerk of court certificates showing authority of officer taking acknowledgment, discharge of mortgage on margin of record, assignment of mortgage on margin of record, writ of attachment for each defendant, or discharge of attachment for each defendant, one dollar.

VI. For instrument containing the names of more than

two parties thereto other than the husband or wife of the grantor or grantee, an additional fee of thirty cents for indexing the names of the additional grantors or grantees or other parties thereto.

VII. For recording or copying each page of two hundred and twenty-four words, one dollar.

VIII. For recording of plans covering not more than one-half page of an 18″ by 28″ page of a plan book, three dollars; covering more than one-half page, four dollars and fifty cents.

IX. For each transfer furnished pursuant to sections 12 and 13, fifty cents.

X. For discharge of old age lien, one dollar.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *Transfer to County.* Amend chapter 49 of the Revised Laws by inserting after section 15 the following new sections: 15-a. *Disposition of Fees.* One third of all fees collected by a register of deeds shall be paid quarterly, by said register, to the county for its use. The balance of said fees shall be for the use of the register. 15-b. *Recording Officers.* Town clerks and all other recording and certifying officers, except as otherwise specially provided for registers of deeds or others, shall be entitled to the following fees: For recording or copying each page of two hundred and twenty-four words, seventy-five cents; provided that if the deed or other paper contains the names of more than two parties thereto other than the husband or wife of the grantor or grantee, an additional fee of twenty-five cents each shall be charged for indexing the names of additional grantors or grantees or other parties thereto. For every certificate, twenty-five cents; for examining the records at the request of any person, one dollar and fifty cents for each hour spent therein; for discharging a mortgage on the margin of the record, or for recording an assignment thereof, fifty cents.

Amend section 3 of said bill by striking out the words and figures "July 1, 1951" and inserting in place thereof the words and figures, September 1, 1951, so that said section as amended shall read as follows:

3. *Takes Effect.* This act shall take effect as of September 1, 1951.

The report was accepted.

The bill, with the amendment pending, was laid upon the table to be printed, under Rule No. 48, to be taken up Wednesday, June 20.

Mr. Barney of Rumney, for the Committee on Public Welfare and State Institutions, to whom was referred House Bill No. 436, An act relating to trial placing inmates at the industrial school, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Wedick of Manchester, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 431, An act for the extension of skiing facilities on the Cannon Mountain Franconia Notch State Reservation, and the establishment of the Roland E. Peabody Memorial Area, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend the title of the bill by striking out all after the word "Reservation" so that said title as amended shall read as follows:

An act for the extension of skiing facilities on the Cannon Mountain Franconia Notch State Reservation.

Amend section 10 of the bill by striking out the word memorial in the second and fifteenth lines so that said section as amended shall read as follows:

10. *Revenue.* There shall be collected for carriage upon the up-ski device at said area and for other services made available therewith such fares, tolls and charges as the commission shall deem reasonable. Such sums as are so collected shall be deposited with the state treasurer who shall keep the same in a separate account. Operating expenses, and upkeep of said device and services shall be charged to or paid from said account and from the balance of said account, after the deductions hereby authorized, the governor, with the approval of the council, shall pay the interest and principal of the bonds or notes issued hereunder as the same become due and payable. From the balance of said special account after the payment of expenses, upkeep and services and the annual interest and bond or note charges such sum may be retained in said account and paid out by the commission, with the

approval of the governor and council, for permanent improvements and additional facilities at said area. When the principal and interest of all notes and bonds have been paid, or sufficient money has accumulated in said special fund to pay the same, the balance of the special fund herein provided, after the payment of charges as herein authorized, shall be paid at such times as the governor and council shall direct into the general funds of the state.

Further amend the bill by striking out section 11 and renumbering section 12 to read section 11.

The report was accepted, the amendments adopted, and the bill referred to the Committee on Appropriations under the rules.

Taken from the Table

Mrs. Studley of Rochester, for the Committee on Judiciary, to whom was referred House Bill No. 319, An act relative to oaths under absentee voting procedure, reported the same with the amendment as printed in the Journal of June 12, 1951, and the recommendation that the bill as amended ought to pass.

The report was accepted.

The question being on the adoption of the amendment.

(Discussion ensued)

Mr. Perkins of Concord spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Resolution

Mr. Davis of Hopkinton offered the following resolution:

Whereas, today, Thursday, June 14, 1951 is Flag Day, the 173rd anniversary of the birth of Old Glory, and

Whereas, the birthday of our beloved Stars and Stripes comes this year at a time when many of our boys are engaged in warfare on foreign soil and our flag should be a symbol of American freedom and human liberty everywhere, therefore be it

Resolved, That when the House adjourns today, it be in recognition of Flag Day.

The question being on the resolution.

(Discussion ensued)

Mr. Sherwin of Rindge spoke in favor of the resolution.
The resolution was unanimously adopted by a rising vote.

On motion of Mr. Wadleigh of Milford, the rules were suspended, and business in order at 3:00 o'clock was made in order at the present time, and the third reading of bills were read by their titles, and joint resolution by its caption, and that when the House adjourns today it adjourns to meet Tuesday, at 11:00 o'clock.

Third Readings

House Bill No. 297, An act relative to eligibility for old age assistance of certain persons.

House Bill No. 319, An act relative to oaths under absentee voting procedure.

House Bill No. 335, An act relative to licensing of hawkers and peddlers.

House Bill No. 354, An act ratifying a proposed compact with certain states specified, providing for abatement of existing pollution and control of future pollution of interstate waters.

House Bill No. 405, An act relative to a uniform collections division for state institutions.

House Bill No. 411, An act relating to inspection in the Department of Labor.

House Bill No. 436, An act relating to trial placing inmates at the industrial school.

House Bill No. 443, An act extending the appropriation for the so-called children's study home.

House Joint Resolution No. 3, Joint resolution relative to application of proceeds from the sale of certain property at the state prison.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 75, An act to provide for short-form deeds.

Read a third time and passed, and sent to the Senate for concurrence in amendment.

Senate Bill No. 53, An act legalizing the 1951 school district meeting in the town of Jackson.

Senate Bill No. 57, An act relative to election and qualification of school district officers.

Senate Bill No. 60, An act relative to secretaries of supervisory unions.

Senate Joint Resolution No. 5, Joint resolution in favor of William Gauley.

Severally read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Taylor of Whitefield at 1:20 o'clock the House adjourned.

TUESDAY, JUNE 19, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O Merciful God, and heavenly Father, Who hast taught us in Thy holy Word that thou dost not willingly afflict or grieve the children of men; we come before Thee at this time with downcast hearts because of the passing of a member of our Senate. We ask Thee to look with pity upon the members of his family, his relatives, his wide circle of friends, and this legislative body he so faithfully and efficiently served. We are deeply grateful for his many years of service to the government of our state. Help us, we beseech Thee, to further express our gratitude for what he has done by emulating his loyalty to the principles of good government. And Thy name shall have all the praise. Amen.

Leaves of Absence

Mr. Cushing of Derry and Mrs. Kendall of Exeter were granted leaves of absence for the day on account of important business.

Mr. Billings of Westmoreland was granted leave of absence for the day on account of his 50th anniversary.

Mr. Skinner of Orford was granted leave of absence for Tuesday and Wednesday on account of important business.

Mr. English of Hancock was granted leave of absence for the week on account of attending a 25th reunion.

Resignation

The following resignation was accepted:

HON. LANE DWINELL
Speaker, New Hampshire House of Representatives
Concord, New Hampshire

DEAR MR. DWINELL:

It is with regret that I submit my resignation as a member of the General Court, effective immediately.

Sincerely,

F. A. NORMANDIN.

Committee Reports

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 170, An act relating to federal aid for fish restoration projects.

House Bill No. 174, An act prohibiting games of beano on Sunday and playing of game by minors.

House Bill No. 304, An act providing for the issuance of a political calendar for election purposes.

Senate Bill No. 50. An act to give small towns representation on county conventions when not entitled to representation in the House.

Senate Bill No. 53, An act legalizing the 1951 school district meeting in the town of Jackson.

Senate Bill No. 57, An act relative to election and qualification of school district officers.

Senate Joint Resolution No. 5, Joint resolution in favor of William Gauley.

Senate Bill No. 60, An act relative to secretaries of supervisory unions.

The report was accepted.

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, to whom was referred House Bill No. 284, An act relating to trespassing on posted land, reported the same under Joint Rule No. 6, with the following amendment and recommended that the bill as amended ought to pass:

Amend the paragraph numbered 14-c of section 2 of said

bill by striking out the same and inserting in place thereof the following:

14-c. *Definition.* Cultivated land within the meaning of this chapter is defined as cleared land from which an annual crop is taken, orchards, land upon which domestic animals annually graze and land which is either burned or cut over once in every two years.

Further amend said bill by striking out the second line of the paragraph numbered 14-d of section 2 of the bill and inserting in place thereof the following:

Provisions of sections 14-a and 14-b shall forfeit his right to collect damages from game or game

On motion of Mr. Brown of Strafford the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence.

Mr. Pillsbury of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 89, An act relative to qualifications for old age assistance, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Hart of Wolfeboro, for the Committee on Appropriations, to whom was referred House Bill No. 107, An act relative to making appropriations for and on behalf of the New Hampshire Wing, Civil Air Patrol, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Sanborn of Wakefield moved that House Bill No. 107 be laid upon the table.

On a *viva voce* vote House Bill No. 107 was laid upon the table.

Mrs. Greene of Concord, for the Committee on Appropriations, to whom was referred House Bill No. 416, An act relative to retirement benefits for court stenographers, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Sanborn of Wakefield moved that House Bill No. 416 be laid upon the table.

On a *viva voce* vote House Bill No. 416 was laid upon the table.

Mr. Ferguson of Pittsfield, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 14, Joint resolution relative to a memorial in honor of John Langdon, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Sanborn of Wakefield moved that Joint Resolution No. 14 be laid upon the table.

On a *viva voce* vote House Joint Resolution No. 14, was laid upon the table.

Mr. Hart of Wolfeboro, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 17, Joint resolution relating to the preservation of historic military flags, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Sanborn of Wakefield moved that House Joint Resolution No. 17 be laid upon the table.

On a *viva voce* vote House Joint Resolution No. 17 was laid upon the table.

Mr. Kelley of Littleton, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 20, Joint resolution establishing a lobster fund, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Sanborn of Wakefield moved that House Joint Resolution No. 20 be laid upon the table.

Mr. Pillsbury of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 262, An

act relative to educational moving pictures, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Kelley of Littleton, for the Committee on Appropriations, to whom was referred House Bill No. 361, An act relative to indemnity for condemned domestic animals, report the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Pillsbury of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 390, An act relative to restricted revenue laws, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Bell of Plymouth, for the Committee on Appropriations, to whom was referred House Bill No. 391, An act relative to unexpended balances of amounts appropriated by capital budget chapter 210 of the Laws of 1945 or chapter 294 of the Laws of 1947, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Baron of Claremont, for the Committee on Appropriations, to whom was referred House Bill No. 342, An act to provide for the coverage of certain officers and employees of the state and local governments under the old-age and survivors insurance provisions of title II of the Federal Social Security Act, as amended, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Sanborn of Wakefield moved that House Bill No. 342 be laid upon the table.

On a *viva voce* vote House Bill No. 342 was laid upon the table.

Mr. Cummings of Colebrook, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 7, Joint resolution in favor of Faulkner & Colony Manufacturing Company, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Pickett of Keene moved that the words, ought to pass, be substituted for the resolution of the committee, inexpedient to legislate.

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Pickett and Turner of Keene spoke in favor of the motion.

Messrs. Sanborn of Wakefield and Scamman of Stratham spoke against the motion.

Mr. Walsh of Keene moved that House Joint Resolution No. 7 be laid upon the table.

On a *viva voce* vote the Chair was in doubt.

Mr. Walsh of Keene asked for a division.

A division being had, 167 members having voted in the affirmative and 138 members having voted in the negative, House Joint Resolution No. 7 was laid upon the table.

Mr. Cummings of Colebrook, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 30, Joint resolution in favor of the town of Auburn, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution was ordered to a third reading.

Mr. Pillsbury of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 38, Joint resolution relative to settlement of the Groveton Papers Company's note and mortgage to Coos county, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted.

Mr. Baron of Claremont moved that House Joint Resolu-

tion No. 38 be laid upon the table and made a special order for Tuesday, June 26, at 11:01 o'clock.

The question being on the motion for a special order.

(Discussion ensued)

Messrs. Baron of Claremont and Sanborn of Wakefield spoke in favor of the motion.

On a *viva voce* vote the motion prevailed, and House Joint Resolution No. 38 was made a special order for Tuesday, June 26 at 11:01 o'clock.

Mr. Angus of Claremont, for the Joint Committee on Judiciary and Labor, to whom was referred House Bill No. 370, An act providing for sickness and non-industrial accident compensation, reported the same with the recommendation that the bill be referred to the 1953 Session of the Legislature.

The report was accepted, and the recommendation of the committee adopted.

Mr. Malley of Somersworth, for the Committee on Ways and Means, to whom was referred House Bill No. 438, An act to establish a new apportionment for the assessment of public taxes, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend lines 5, 13, 16, 17, 20, 30, 33, 34, 36, 37, 43, 45, 47, 53, 54, 57, 58, 64, 65, 67, 68, 69, 74, 75, 81, 86, 88, 89, 93, 95, 96, 100, 101, 104, 109, 116, 118, 119, 120, 124, 125, 129, 130, 133, 136, 138, 142, 148, 151, 156, 157, 169, 170, 171, 172, 175, 182, 183, 187, 188, 190, 191, 193, 195, 202, 205, 206, 210, 213, 216, 227, 228, 229, 236, 238, 239 and 245 of section 1 of the bill by striking out said lines and inserting in place thereof the following: (of the printed bill, lines: 6, 14, 16, 18, 21, 32, 36, 37, 39, 40, 46, 48, 50, 56, 59, 62, 63, 70, 71, 73, 74, 75, 80, 81, 87, 93, 94a, 95, 99, 101, 102, 107, 108, 111, 116, 123, 125, 126, 127, 131, 133, 138, 139, 142, 146, 148, 153, 159, 162, 167, 168, 180, 181, 182, 184, 188, 206, 207, 211, 212, 214, 215, 216, 217, 224, 227, 228, 232, 235, 238, 249, 250, 251, 258, 260, 261 and 268.)

Rockingham County, $138.15

Derry, ten dollars and twenty-seven cents	$10.27
Exeter, thirteen dollars and twenty-nine cents	13.29
Fremont, eighty-six cents	.86

Hampton, twelve dollars and seven cents	12.07
North Hampton, three dollars and eighty cents	3.80
Plaistow, two dollars and twenty-six cents	2.26
Portsmouth, forty dollars and twenty-three cents	40.23
Rye, five dollars and ninety-nine cents	5.99
Salem, seven dollars and ninety-two cents	7.92

Strafford County, $78.80

Dover, twenty-six dollars and fifty-two cents	26.52
Farmington, four dollars and fifty-five cents	4.55
Rochester, twenty dollars and eighty-six cents	20.86
Somersworth, twelve dollars and twenty-five cents	12.25

Belknap County, $58.60

Alton, four dollars and forty-eight cents	4.48
Laconia, twenty-nine dollars and sixteen cents	29.16
Meredith, six dollars and eleven cents	6.11
Sanbornton, one dollar and sixty-three cents	1.63
Tilton, four dollars and forty-six cents	4.46

Carroll County, $39.18

Conway, seven dollars and three cents	7.03
Eaton, fifty-two cents	.52
Moultonborough, three dollars and twenty-five cents	3.25
Wakefield, two dollars and sixty-two cents	2.62

Merrimack County, $110.98

Allenstown, two dollars and twenty-seven cents	2.27
Bradford, one dollar and sixty-four cents	1.64
Chichester, ninety-three cents	.93
Concord, fifty-three dollars and eighty-one cents	53.81
Franklin, ten dollars and thirty-nine cents	10.39
Henniker, two dollars and thirty-six cents	2.36
Hopkinton, three dollars and forty cents	3.40
Pembroke, three dollars and forty-eight cents	3.48

Hillsborough County, $273.54

Antrim, two dollars and twenty-nine cents	2.29
Bedford, three dollars and sixty-two cents	3.62
Bennington, one dollar and sixty-eight cents	1.68
Goffstown, seven dollars and twenty-four cents	7.24

Greenfield, one dollar and nine cents	1.09
Hollis, one dollar and ninety-nine cents	1.99
Hudson, three dollars and seventy-one cents	3.71
Manchester, one hundred forty-three dollars	143.00
Milford, six dollars and ninety-eight cents	6.98
Nashua, sixty-three dollars and thirty-three cents	63.33
Peterborough, seven dollars and seventy-one cents	7.71

Cheshire County, $75.30

Dublin, two dollars and ninety-eight cents	2.98
Jaffrey, six dollars and forty-four cents	6.44
Keene, thirty dollars and fifty-two cents	30.52
Walpole, five dollars and fifty-one cents	5.51
Westmoreland, one dollar and eight cents	1.08
Winchester, three dollars and seventy-four cents	3.74

Sullivan County, $47.91

Claremont, twenty-three dollars and fifty-two cents	23.52
Newport, seven dollars and ninety-seven cents	7.97
Plainfield, one dollar and fifty-one cents	1.51
Washington, sixty-eight cents	.68

Grafton County, $105.04

Ashland, three dollars and seventy-six cents	3.76
Bath, one dollar and thirty-four cents	1.34
Bethlehem, five dollars and three cents	5.03
Bristol, three dollars and ninety-one cents	3.91
Franconia, one dollar and ninety cents	1.90
Hanover, eleven dollars and sixty cents	11.60
Haverhill, six dollars and thirty-two cents	6.32
Lebanon, thirteen dollars and forty-two cents	13.42
Littleton, eight dollars and eighty-nine cents	8.89
Monroe, nine dollars and fifty-two cents	9.52

Coos County, $70.26

Berlin, thirty dollars and sixty-seven cents	30.67
Carroll, one dollar and fifty-four cents	1.54
Gorham, seven dollars and thirteen cents	7.13
Lancaster, five dollars and eighty-seven cents	5.87
Milan, one dollar and three cents	1.03
Stewartstown, one dollar and twelve cents	1.12

The report was accepted.

The question being on the amendment.

Mr. Bass of Peterborough moved that the reading of the amendment be dispensed with.

The question being on the motion to dispense with the reading of the amendment.

(Discussion ensued)

Mr. Bass of Peterborough spoke in favor of the motion.

On a *viva voce* vote the reading of the amendment was dispensed with.

The question being on the adoption of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 331, An act relative to operation of motor vehicles in a grossly careless or grossly negligent manner and relative to suspension of licenses in such cases.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Motor Vehicle Operation.* Amend section 12 of chapter 118 of the Revised Laws by striking out said section and inserting in place thereof the following: 12. *Reckless or Careless Operating.* Whoever upon any way operates a vehicle recklessly, or so that the lives or safety of the public shall be endangered, or upon a bet, wager or race, or who operates a vehicle for the purpose of making a record, and thereby violates any of the provisions of this title or any special regulations made by the commissioner, shall be fined not more than one hundred dollars, or imprisoned not more than six months, or both; and for a second offense he shall be imprisoned not less than one month nor more than one year. If the death of any person results from the reckless operation of a motor vehicle the person convicted of such reckless operation shall, in lieu of any other penalty imposed by this section, be fined not more than one thousand dollars, or imprisoned not

more than five years, or both, provided that the provisions of this section shall not be construed to limit or restrict prosecution for manslaughter. Whoever upon any way operates a vehicle in a grossly careless or grossly negligent manner which said operation does not constitute reckless operation of a motor vehicle and which does not result in the death of any person, shall be fined not more than one hundred dollars, or imprisoned not more than thirty days, or both.

Further amend said bill by inserting after section 1 the following new sections:

2. *Careless Operation.* Amend sections 13 and 14 of chapter 118 of the Revised Laws by striking out said sections and inserting in place thereof the following: 13. *Revocation of License.* Upon a conviction of a violation of the preceding section the court or justice shall report to the commissioner, and may, for a conviction for grossly careless or grossly negligent operation, and shall, for conviction of any other violation under the preceding section, immediately revoke the license of the person so convicted; and the commissioner may revoke the license of any person who shall be convicted of a similar offense by a court of any other state.

14. *Suspension.* Whenever any person convicted of a violation of section 12 or section 16 appeals, the municipal court or justice may, in case of conviction for grossly careless or grossly negligent operation, and shall, in case of any other convictions under said sections, forthwith suspend the license of such person, and shall order him to divert the same to the commissioner, who shall not reissue said license until such person is acquitted.

Further amend said bill by renumbering section 2 to read section 3.

On motion of Mr. Perkins of Concord the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 145, An act relating to powers and duties of towns with reference to contracts with union, and union and other employees.

Amend said bill by striking out all after the enacting clause, and inserting in place thereof the following:

1. *Powers and Duties of Towns.* Amend chapter 51 of the Revised Laws by adding after section 3 thereof the following new section:

3-a. *Contracts with Municipal Employees.* Towns and cities may make such contracts relating to hours, wages and conditions of employment with municipal employees or their representatives as the selectmen of towns or the governing bodies in cities which have final authority over the expenditures of public funds shall approve, *provided however,* that the following provisions shall be a part of every such contract to which applicable and shall be plainly printed in every such contract. No waiver of any of the following provisions shall be valid, and every stipulation shall be void.

I. *No Strike Clause.* Every municipal employee covered by this contract shall be conclusively deemed to have agreed not to engage directly or indirectly, in any strike, walkout, slowdown, or any picketing activities, whether authorized or not; every employee found to have violated this provision shall be liable to summary discharge; the municipality agrees to engage in no lockouts or discrimination discharges or layoffs.

II. *Responsibility.* This contract shall be specifically enforceable by both parties thereto and damages for its breach shall be recoverable by action brought in the superior court. The provisions for arbitration contained herein shall be enforceable under chapter 415 of the Revised Laws as amended and the provisions of chapter 415 shall apply to all the terms of this contract. The employees, and (in any case in which a labor union is a contracting party) the union, shall be financially responsible to the municipality for any damage resulting to the municipality from the acts of any employees covered by this contract and of any officers or members of such union, whether authorized or not, which are in violation of any provisions of the contract including the provisions of this section.

III. *Duration and Renegotiation.* This contract shall continue in effect from and after the date of its approval for one year and until the date upon which annual appropriations for the next subsequent fiscal year of the municipality are voted or are finally approved by municipal authorities having

the power finally to approve appropriations, and from year to year thereafter by renewals hereof unless sooner terminated at the end of any municipal appropriation period. Not earlier than November 1 of any year, and not later than sixty (60) days prior to the date upon which municipal budget requests are to be submitted to budget committees, either party may notify the other in writing of its demand that, for the next following appropriation period, the wage rates and ranges of pay established under this contract shall be modified. Any modification of wage rates and ranges of pay shall, before becoming effective, be approved in the same manner as required of the basic contract. If, after notice of demand for modification of wage rates and ranges of pay, no agreement and approval is obtained, the contract shall either terminate at the end of the appropriation period in which the demand was made or continue at the prior wage rates and ranges of pay for the next appropriation period, at the option of the party making the demand for modification. Renegotiation of provisions of the contract which do not, directly or indirectly, affect the financial obligation of the municipality under the contract may be had at any time in accordance with the terms of the contract.

IV. *Union Membership.* No municipal employee covered by this contract shall be denied membership in the union, if any, which is a party to this contract as representative of the municipal employees concerned; no municipal employee shall be required to maintain membership in any union as a condition to his original or continued employment as a municipal employee.

V. *Conciliation and Arbitration.* The N. H. State Board of Conciliation and Arbitration shall be the final arbitrator of all grievances or disputes hereunder which are subject to arbitration, and the services of the labor commissioner may be sought by either party to investigate any controversies under chapter 210 Revised Laws prior to submission to arbitration.

On motion of Mr. Angus of Claremont the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 427, An act relative to use of coupons attached to hunting licenses.

Amend section 1 by striking out in line 7 after the word "within" the words "twenty-four" and inserting in place thereof the words, forty-eight, so that said section as amended shall read as follows:

1. *Hunting License Deer Coupons.* Amend section 14 of chapter 242 of the Revised Laws by striking out said section and inserting in place thereof the following: 14. *Use of Coupons.* Each hunting license shall be provided with a coupon which shall be divided into two sections, A-1 and A-2. The holder of a license shall, upon killing his deer, detach, fill out and attach to the deer or carcass, by means of a string or wire, section A-2 of the coupon, by inserting said string or wire through the part marked X on said coupon. He shall, within forty-eight hours after the said deer has been removed from the woods, fill out and mail to the office of the director, section A-1 of the coupon. Section A-2 shall remain attached to the deer, or carcass thereof, as long as said deer or carcass shall remain in the state, and the owner shall be entitled to possess the same as provided in section 7, and shall be entitled to transport it or have it transported as provided in sections 10 and 11 of this chapter.

On motion of Mr. Washburn of Bartlett the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 383, An act relative to fees for licenses to hunt or fish and for guides.

Amend section 1 of the bill by striking out wherever it appears the words "fifty cents" and inserting in place thereof the words, twenty-five cents, so that said section as amended shall read as follows: 1. *Fish and Game.* Amend paragraph I of section 6 of chapter 247 of the Revised Laws as amended by section 1, chapter 217 of the Laws of 1947 by striking out said paragraph and inserting in place thereof the following new paragraphs: I. If the applicant is a resident of this state and wishes to hunt, two dollars and twenty-five cents, and the agent shall thereupon issue a resident hunting license which shall entitle the licensee to hunt, shoot,

kill or take, except by the use of traps, and to transport game birds, game animals under the restrictions of this title. I-a. If the applicant is a resident of this state and wishes to fish, two dollars and twenty-five cents, and the agent shall thereupon issue a resident fishing license, which shall entitle the licensee to kill, take and transport fish and salt water smelt under the restrictions of this title. I-b. If the applicant is a resident of this state and wishes to hunt and fish, three dollars and seventy-five cents, and the agent shall thereupon issue a resident hunting and fishing license, which shall entitle the licensee to hunt, shoot, kill or take, except by the use of traps, and to transport game birds, game animals, fish, and salt water smelt, under the restrictions of this title.

Further amend said bill by striking out in section 3 and section 4 wherever they appear the words "twenty dollars" and inserting in place thereof the words, twenty-five dollars, so that said sections as amended shall read as follows: 3. *Nonresidents.* Amend paragraph III of section 6, chapter 247 of the Revised Laws as amended by section 2, chapter 217 of the Laws of 1947, by striking out said paragraph and inserting in place thereof the following new paragraph: III. If the applicant is a nonresident and wishes to hunt, twenty-five dollars, and said agent shall thereupon issue a nonresident hunting license which shall entitle the licensee, to hunt, shoot, kill or take, except by the use of traps, and to transport game birds and game animals, under the restrictions of this title. 4. *Nonresident Minors.* Amend paragraph III-a of section 6, chapter 247, Revised Laws, as inserted by section 3, chapter 163, Laws of 1947, by striking out said paragraph and inserting in place thereof the following: III-a. If the applicant is a nonresident under sixteen years of age and wishes to hunt, twenty-five dollars, and said agent shall thereupon issue a nonresident minor's hunting license which shall entitle the licensee to hunt, shoot, or take game animals when accompanied by another licensee twenty-one years of age or over, and to transport game animals under the restrictions of this title.

Mr. Washburn of Bartlett moved that the House non-concur in the amendments sent down from the Honorable Senate, and a Committee of Conference be appointed.

On a *viva voce* vote the motion prevailed, and the Speaker appointed, as members on such committee on the part of the House, Messrs. Washburn of Bartlett, Rhodes of Walpole and Sheridan of Berlin.

The message also announced that the Senate had voted to non-concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 133, An act relating to the surveyor of the city of Manchester.

House Bill No. 166, An act relative to police chiefs.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 269, An act relating to the registration of architects.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 87, An act relative to the restoration of the clam fisheries in New Hampshire.

Senate Bill No. 89, An act relative to borrowing by municipal corporations.

Senate Bill No. 90, An act relating to maintenance of essential transportation facilities during periods of emergency.

Senate Bills Read and Referred

Senate Bill No. 87, An act relative to the restoration of the clam fisheries in New Hampshire.

Read a first and second time and referred to the Committee on Fisheries and Game.

Senate Bill No. 89, An act relative to borrowing by municipal corporations.

Read a first and second time and referred to the Committee on Judiciary.

Senate Bill No. 90, An act relating to maintenance of essential transportation facilities during periods of emergency.

Read a first and second time and referred to the Committee on Transportation.

Resolution

Mr. Ecker of Manchester offered the following resolution:

Resolutions
on the death of
Augustus F. Butman

Whereas, we have learned of the passing of Augustus F. Butman, of Derry, Senator from the Twenty-Second District since 1945, and

Whereas, Senator Butman has served his town, state and country with great efficiency and thoroughness, having been chief of police of the town of Derry and veteran of World War I, therefore be it

Resolved, That we, the members of the House of Representatives, hereby pay tribute to Senator Butman for his services and express our appreciation for his friendliness and helpfulness and extend our heartfelt sympathy to the family in its bereavement, and be it further

Resolved, that the Speaker of the House appoint a committee to attend the funeral services and that a floral tribute be procured, and be it further

Resolved, That when the House adjourns today it be in respect to the Senator's memory, and be it further

Resolved, That the Clerk of the House transmit to Mrs. Butman a copy of these resolutions.

The resolution was unanimously adopted by a rising vote.

The Speaker appointed as members on the committee, Messrs. Ecker of Manchester, Peever of Salem, Spaulding of Hudson, Hepworth, Clark, Cushing and Gay of Derry, Hazelton of Chester, Mailloux of Pelham, Hall of Londonderry and Casey of Manchester.

Vote of Appreciation

On motion of Mr. Sanborn of Wakefield the House extended a rising vote of thanks to Mr. Russ Sullivan of Concord for his generosity in donating to each member of the General Court a copy of a "Liberty Card."

On motion of Mr. Henderson of Durham the rules were suspended and business in order at 3:00 o'clock was made in

order at the present time and the third reading of bills were read by their titles and a joint resolution by its caption only.

Third Readings

House Bill No. 89, An act relative to qualification for old age assistance.

House Bill No. 361, An act relative to indemnity for condemned domestic animals.

House Bill No. 391, An act relative to unexpended balances of amounts appropriated by capital budget chapters 210 of the Laws of 1945 or chapter 294 of the Laws of 1947.

House Bill No. 438, An act to establish a new apportionment for the assessment of public taxes.

House Joint Resolution No. 30, Joint resolution in favor of the town of Auburn.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Placy of Stewartstown at 12:42 o'clock the House adjourned.

WEDNESDAY, JUNE 20, 1951

The House met according to adjournment.

Joint Convention

Prayer was offered by the Chaplain.

O Thou God of wisdom and understanding, and Who hast sent Thy Son, Jesus Christ, to be the Great Teacher; at this time of the year when thousands of our young men and women are going from our schools and colleges into their chosen walk in life, we are ever mindful of the value Thou hast set on education. Be Thou with this host of our youth, the hope of future America. May they not merely possess great truths and fundamental facts, but may they be possessed by the spirit of truth and honesty and true Americanism that they may more efficiently and effectively use the lessons they have learned in the passing years to their own honor and the glory of their country. Through Jesus Christ, our Teacher and Leader. Amen.

Pursuant to a concurrent resolution, both Branches being in joint convention for the election of a state treasurer.

Mr. Sanborn of Wakefield moved that the election of a state treasurer be taken from the table.

On a *viva voce* vote the motion prevailed.

Mr. Pickett of Keene moved that the convention proceed to the election of a state treasurer by ballot.

On a *viva voce* vote the motion prevailed.

The Chair appointed as a committee to count ballots, Messrs. Sherwin of Rindge, Barry of Wilton and Mrs. Holmes of Amherst and Mr. Hart of Wolfeboro and Senator Hartnett of District No. 21.

Mr. Sanborn of Wakefield placed in nomination Mr. Winfield J. Phillips.

Mr. Pickett of Keene placed in nomination Mr. John J. Kearns.

Mr. Bass of Peterborough seconded the nomination of Mr. Phillips.

Senator Caron of District No. 17 seconded the nomination of Mr. Kearns.

On motion of Mr. Sanborn of Wakefield the nominations of state treasurer were closed.

The committee appointed to count the ballots reported as follows:

Total number of votes cast	356
Necessary for choice	179
Mr. Phillips had	235
Mr. Kearns had	120

The Chair declared Mr. Phillips elected.

On motion of Mr. Kearns the vote was made unanimous.

Mr. Charland of Franklin asked to be recorded as not making the vote unanimous.

Mr. Pickett of Keene moved that a committee of four be appointed to escort Mr. Phillips to the rostrum to be introduced to the convention.

On a *viva voce* vote the motion prevailed.

The Chair appointed as members on such committee: Messrs. Sanborn of Wakefield, Henderson of Durham, Kearns

of Manchester and Pickett of Keene. Mr. Phillips was introduced to the joint convention.

On motion of Senator Whittier of District No. 2 the convention rose.

House

Leaves of Absence

Mr. Powell of Sutton was granted leave of absence for the day on account of important business.

Mr. Pinkham of Northwood was granted leave of absence for Wednesday and Thursday on account of important business.

Opinion of Supreme Court

The following opinion was ordered printed in the Journal:

To the House of Representatives:

The undersigned Justices of the Supreme Court make the following answer to the questions contained in your resolution of June 7, 1951, with reference to House Bill No. 429 in new draft:

The questions submitted raise the query whether, assuming taxation of sales of tobacco at a rate of fifteen per cent, sales taxes may concurrently be imposed upon meals served in restaurants at a rate of five per cent, bottled soft drinks at twenty per cent, and a tax upon admissions, whether properly considered a sales tax or not, at a rate of five per cent. Imposed upon our present tax structure, would a tax upon the selected subjects proposed by House Bill No. 429 produce a division of tax burden effecting practical equality, so that each citizen would bear his just and proportionate share, and no more?

It was early said: "To establish the rules by which each individual's just and equal proportion of a tax shall be determined, is a task of much difficulty, and a very considerable latitude of discretion must be left to the legislature on the subject . . . And this discretion has always been exercised by the legislature. Within the limits of this discretion, as to the selection of proper subjects of taxation . . . the authority of the legislature is, without question, supreme." *Opinion of the Court*, 4 N. H. 565, 570.

Justification for the selection of sales of tobacco as a proper subject of taxation at a rate distinct from the rate of a general sales tax, like the selection of the franchises of certain utilities for taxation (*Opinion of the Justices*, 84 N. H. 559, 565-571) might be thought to be the presence of the "element subject to supervision either under the police power or as things affected with a public use." *Opinion of the Justices*, 82 N. H. 561, 563; *Havens* v. *Attorney General*, 91 N. H. 115, 118.

As the issue of still further classification reaches us, in the form of your questions, the legislative discretion as to selection has not been exercised, and the proposals do not enjoy the presumption of validity which accompanies a deliberate legislative enactment. It may well be that in the imposition of sales taxes the use of a uniform rate applicable to sales of all types of property would produce less practical equality of burden among taxpayers than would a rate which varied according to the nature of the property sold. For example it might reasonably be thought that sales of real estate ought not to be taxed at the same rate as sales of tobacco products; and that inequality rather than equality of burden would result from the employment of a common and uniform rate. Thus some disproportion might be thought to be "inherent in the tax itself." *Thompson* v. *Kidder*, 74 N. H. 98.

On the other hand, it might be thought that imposition of a tax upon sales of necessities such as meals served in restaurants when no tax is imposed upon sales of other foods or of numerous articles commonly regarded as luxuries, would produce a disproportion not reasonably inherent in the tax, and fail to promote "equal and honest division of [the] common burden." *Robinson* v. *Dover*, 59 N. H. 521, 538. The danger of creating, by narrow classification, a tax upon occupations or privileges is apparent. *Cf. State* v. *Express Company*, 60 N. N. 219; *Opinion of the Justices*, 82 N. H. 561, 563, 564; 95 N. H. 555. " 'Under our constitution, the power to tax is a power not to destroy the right of property by a discriminating process of classification or selection, but to equitably defray the expense of protecting the right of property and other rights.' *State* v. *Company*, 60 N. H. 219, 253." *Williams* v. *State*, 81 N. H. 341, 349.

What tax or combination of taxes will rest upon the broadest base with greatest practical equality is one which the

Legislature must decide upon the basis of information not available to us. The danger of discrimination which may result from a selection of numbers of small classes which is plainly apparent in House Bill No. 429 cannot be disregarded.

In view of the complexities of the subject, it is obviously impossible to give your questions adequate consideration in the time available before an answer should be returned. However, it seems to us to be in conformity with the duty laid upon us by the Constitution to express to you our tentative conclusion on the subject which is that on the information presently before us we are unable to declare the proposed bill constitutional.

FRANCIS W. JOHNSTON
FRANK R. KENISON
LAURENCE I. DUNCAN
AMOS N. BLANDIN, JR.
EDWARD J. LAMPRON

June 19, 1951.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Committee on Rules, House Bill No. 448, An act authorizing the publication and sale of military records of New Hampshire war veterans. Referred to the Committee on Military and Veterans' Affairs.

By Committee on Rules, House Bill No. 449, An act relating to the acquisition of certain land on Long Island in the town of Moultonborough. Referred to the Committee on Appropriations.

By Committee on Rules, House Joint Resolution No. 40, Joint resolution in favor of the estate of Benjamin G. Hall. Referred to the Committee on Appropriations.

By Committee on Rules, House Joint Resolution No. 41, Joint resolution for inclusion of forest management and soil conservation practices in all flood control plans carried out by the federal government in the state of New Hampshire in coordination with state authorities. Referred to the Committee on Resources, Recreation and Development.

By Committee on Rules, House Joint Resolution No. 42, Joint resolution to establish an interim commission to study

legislation designed to protect the public from the results of motor vehicle accidents on our highways. Referred to the Committee on Insurance.

By Committee on Rules, House Joint Resolution No. 43, Joint resolution providing for a committee to study ways and means of effecting greater safety on the highways. Referred to the Committee on Insurance.

Printing and Reference Dispensed With

Mr. Pillsbury of Manchester moved that the rules be suspended and the printing and reference to a committee of House Joint Resolution No. 40 be dispensed with.

On a *viva voce* vote the motion prevailed.

Mr. Pillsbury of Manchester moved that the rules be suspended and House Joint Resolution No. 40 be put upon its third reading and final passage, by caption, at the present time.

On a *viva voce* vote the motion prevailed.

House Joint Resolution No. 40 was read a third time and passed and sent to the Senate for concurrence.

Printing Dispensed With

Mr. Jackson of Dublin moved that the rules be suspended and the printing of House Joint Resolution No. 41 be dispensed with.

The question being on the motion.

(Discussion ensued)

Mrs. Jackson of Dublin spoke in favor of the motion.

On a *viva voce* vote the motion prevailed, and printing of House Joint Resolution No. 41 was dispensed with.

Mr. Pickett of Keene moved that the rules be suspended and the printing of House Joint Resolution No. 43 be dispensed with.

On a *viva voce* vote the motion prevailed.

Mr. Sawyer of Wilmot, for the Committee on Education, to whom was referred House Bill No. 128, An act relating to supervisory unions, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate. Subject matter covered by Senate Bill No. 60.

The report was accepted and the resolution of the committee adopted.

Mr. Ashley of Lebanon, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 439, An act establishing the John G. Winant Memorial Foundation, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Nelson of Milford, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 444, An act relative to trustees of Brewster Free Academy, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend the bill by striking out sections 1 and 2 and inserting in place thereof the following:

1. *Brewster Free Academy.* Amend section 3 of chapter 167 of the Laws of 1887 by striking out said section and inserting in place thereof the following: Sect. 3. The board of trustees shall hereafter be composed of eleven members, four of whom shall be members *ex-officio,* and seven of whom shall be selected as hereinafter provided. The four *ex-officio* members shall be a member of the school board of Wolfeboro to be elected by the board of trustees each year and the three trustees under the seventh or residuary clause in the will of John Brewster, the three present trustees being William Brewster, John L. Brewster, and Arthur F. Estabrook. The trustees under said will and their several successors in said trust under said will shall each be trustees of the academy so long as they severally remain trustees under said will. The seven following persons shall constitute the remaining members of the board: Judge Jeremiah Smith, of Dover; John K. Lord, of Hanover; Charles U. Bell, of Lawrence; and Joseph L. Avery, Benjamin F. Parker, Albert W. Wiggin, and Charles H. Parker of Wolfeboro. The seven trustees last named shall at the first meeting draw lots for terms of one, two, three, four, five, six and seven years respectively. Thereafter the term of one member

shall expire each year according to said drawing, and at the annual meeting of each year a trustee to serve for seven years shall be elected by the board to take the place of the retiring member. The retiring member shall be eligible for re-election but shall have no vote in such election. If a vacancy shall occur among the aforesaid seven trustees, or their successors, at any other time than the expiration of a term, the board shall elect a trustee to serve for the unexpired balance of the term.

Further amend the bill by renumbering section 3 to read section 2.

The report was accepted.

Mr. Nelson of Milford moved that the bill and amendments be recommitted to the Committee on Executive Departments and Administration.

The question being on the motion to recommit.

(Discussion ensued)

Mr. Nelson of Milford spoke in favor of the motion.

On a *viva voce* vote the bill and amendments were recommitted to the committee.

Mr. Metcalf of Tilton, for the Committee on Fish and Game, to whom was referred House Bill No. 58, An act relative to records of salt water fish catch, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An act relative to extension of a special appropriation for the Fish and Game Department.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Extension of Appropriation for Fish and Game Improvements.* The appropriation made under the provisions of section 2 of chapter 294 of the Laws of 1947, and extended by chapter 318, Laws of 1949, for improvements and additions to hatcheries, ponds, streams and rearing stations of the fish and game department shall not lapse until June 30, 1953. The authority granted by section 3 of said chapter 294 to issue bonds and notes in the name and on behalf of the state of New Hampshire to provide funds for the appropriation made in

section 2 of said chapter shall continue for the extension of time provided for in this section.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted.

The bill with the amendments pending was laid upon the table under Rule No. 48 to be printed, to be taken up Tuesday, June 26.

Mr. Metcalf of Tilton, for the Committee on Fish and Game, to whom was referred House Bill No. 408, An act relative to taking, transportation and sale of lobsters and lobster meat, reported the same with the following amendments and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the words "ten dollars" in the twelfth line and inserting in place thereof the words, five dollars, provided that the person does not take lobsters or crabs for the purpose of selling the same and does not use more than five traps; fifteen dollars when using not over seventy-five traps and twenty-five dollars when using over seventy-five traps, so that said section as amended shall read as follows:

1. *Fees.* Amend section 42 of chapter 245 of the Revised Laws as amended by section 2 of chapter 12, Laws of 1950 by striking out said section and inserting in place thereof the following: 42. *License.* No person shall at any time place, set, keep, maintain, supervise, lift, raise or draw in, from any waters under the jurisdiction of this state, or in any way aid or assist in so doing, any pot, trap, warp or any other device used in taking lobsters or crabs without first procuring a special license so to do; nor during the time from sunset to one hour before sunrise. Such license shall be issued by the director, under such rules and regulations and in such form as may be prescribed by him. The fees for such license shall be five dollars provided that the person does not take lobsters or crabs for the purpose of selling the same and does not use more than five traps; fifteen dollars when using not over seventy-five traps and twenty-five dollars when using over seventy-five traps.

Amend section 2 of the bill by striking out all after the words "Distinctive Mark" in the fourth line and inserting in

place thereof the following: Any person taking any female lobsters carrying spawn shall immediately mark said lobster by a V notch not less than one half inch in width at the widest point and not over one half inch in depth in the middle flipper of the tail and return said lobster to the water. No person shall take a female lobster that has the middle flipper broken or cut off.

Amend paragraph II of section 53a of the Revised Laws as inserted by section 8 of the bill by striking out the word "ten" in the third line and inserting in place thereof the word, two, and by striking out the word "three" in the fourth line and inserting in place thereof the word, two, so that said paragraph as amended shall read as follows:

II. *Fees.* The following fees shall be collected for licenses issued under the provisions of paragraph I. To a resident, for a retail dealer's license, two dollars and for each license for additional facilities, two dollars. To a non-resident, for a retail dealer's license, twenty-five dollars, and for each additional facility, five dollars.

Amend said bill by inserting after section 11 the following new section:

12. *Resident and Nonresident.* Amend chapter 245 of the Revised Laws by inserting after section 55 the following new section: 55a. *Definition.* The word "resident" as used in the subdivision when applied to a corporation shall mean a corporation organized under the laws of this state. The word "nonresident" as used in this subdivision when applied to a corporation shall mean a corporation organized under the laws of another state.

Further amend the bill by striking out section 12 and inserting in place thereof the following:

13. *Takes Effect.* The provisions of sections 2, 4, 6 and 9 of this act shall take effect upon the passage of this act. The remaining sections shall take effect as of January 1, 1952.

The report was accepted.

The bill, with the amendments pending, was laid upon the table under Rule No. 48 to be printed, to be taken up Tuesday, June 26.

Mr. Matthews of New Hampton, for the Committee on Judiciary, to whom was referred Senate Bill No. 86, An act

relative to the dollar limit of small claims, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Holden of Hanover, for the Committee on Judiciary, to whom was referred House Bill No. 435, An act to repeal charters of certain corporations, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Wells of Newton, for the Committee on Judiciary, to whom was referred House Bill No. 345, An act amending the laws affecting the public service commission and persons and companies subject to its jurisdiction, reported the same, in new draft, with the recommendation that the bill, in its new draft, be recommitted to the Committee on Judiciary.

The report was accepted.

The bill, in its new draft, was read a first and second time, laid upon the table to be printed and recommitted to the Committee on Judiciary.

Mr. Mailloux of Pelham, for the Committee on Ways and Means, to whom was referred House Bill No. 403, An act relative to fees for testing and sealing weighing and measuring devices and inspectors and city sealers, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend paragraphs V through XII inclusive of section 5 of the bill by striking out said paragraphs and inserting in place thereof the following:

V. Each mechanical capacity device including kerosene, oil and grease pumps, but excluding gasoline pumps and meters on vehicle tanks, twenty-five cents.

VI. Each retail stationary metering pump, one dollar.

VII. Each vehicle or bulk meter, three dollars.

VIII. Each taximeter or measuring device used upon vehicles to determine the cost of transportation, twenty-five cents.

IX. Each machine or other mechanical device used for determining linear or area measurement, fifty cents.

X. Each measurement of a vehicle used in transporting fuel wood, one dollar.

XI. Each log caliper and board rule, one dollar.

XII. Calibrating for capacity vehicle tank used in the sale of commodities by liquid measure and having a capacity of one hundred gallons or less, one dollar. For each additional one hundred gallons or fraction thereof, an additional twenty-five cents shall be received. Where a vehicle tank is subdivided into two or more compartments, each compartment shall, for the purposes of this section, be considered a separate tank.

XIII. All extra weights and other measures, ten cents each.

XIV. For all other weighing or measuring devices not included in this section, such reasonable fees as the commissioner of agriculture shall determine.

The report was adopted.

The bill with the amendment pending was laid upon the table under Rule No. 48 to be printed, to be taken up Tuesday, June 26.

Taken from the Table

House Bill No. 406, An act to relieve the shortage of teachers in the public elementary schools.

The question being on the amendment as printed in the Journal of June 14, pages 7-8-9 and 10.

Mr. Eldredge of Exeter moved that the bill and the amendment be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Messrs. Eldredge of Exeter, Vaughan of Newport and Barry of Wilton, spoke in favor of the motion.

Mr. Carter of Cornish and Miss Woodward of Waterville, Mrs. Jackson of Dublin and Mrs. Atwood of Sanbornton, spoke against the motion.

On a *viva voce* vote the motion prevailed.

Mr. Carter of Cornish demanded the Yeas and Nays, and the roll was called with the following result:

Yeas, 204

SULLIVAN COUNTY: Angus, Converse, Bissonett, Nahil, Baron of Claremont, Carton, Bailey, Perry of Newport, Rowell, Vaughan, Pierce, Gamsby, Callum.

GRAFTON COUNTY: Plumer, Willey, Lorden, Fuller, Holden of Hanover, Chamberlin of Haverhill, McMeekin, Adams, Ashley of Lebanon, Cole, Jones, Collins of Lisbon, Kelley, Pushee, Burrill, Howard, Bell, Anderson, Gilbert.

COOS COUNTY: Brungot, Rines, Cummings of Colebrook, Gould, Oakes, Emerson, Kimball, Evans, Simonds, Means, Hilliard, Placy, Stinson, Taylor.

ROCKINGHAM COUNTY: Tuttle, Wastcoat, Darbe, Freeman of East Kingston, Eldredge, LeComte, Bonney, Putnam, Merrill, Ring, Thurlow, McNeil, Hall of Londonderry, Labranche of Newmarket, Wells, Carter of No. Hampton, McDaniel, Colcord, Leary, Philbrick, Haigh, Peever, Waterhouse.

STRAFFORD COUNTY: Chase of Dover, Felker, Carroll, Crandall, Flanagan, Henderson of Durham, Parker, Caldwell, Horne, Rolfe, Maxfield, Winters, Lacasse, Green of Rollinsford, Lagueux, Letourneau, Coffin.

BELKNAP COUNTY: Perkins of Alton, McAllister, Boutin, Osborne, Simoneau, O'Shan, Brown of Laconia, Smith of Meredith, Matthews, Metcalf.

CARROLL COUNTY: Washburn, Downs, Hill, Morey, Nickerson, Lamprey, Moulton, Knox, Remick, Hodgdon, Hart of Wolfeboro, McHugh.

MERRIMACK COUNTY: Putney, Ellsworth, Moore, Marden, Ferrin, Tebbetts, Hurd, Perkins of Concord, Corbett, O'Neil of Concord, Bunten, Blodgett of Concord, Ward 8, Sargent, Hadley, Towle, Chase of Franklin, Burke, Charland, Maxwell, Mason, DuDevoir, Milligan, Lamson, Wilman, Lea, Ferguson, Chandler, Sawyer of Wilmot.

HILLSBOROUGH COUNTY: Wilson, French of Bedford, Farwell, Hambleton, Poore, Crosby, Spaulding of Hudson, Kennedy of Manchester, Pettigrew, Danforth, Geisel, Dwyer, Fitzgerald, Kean, Nolan, Betley, Ellis, Healy of Manchester, Ward 5, Proulx, Cavanaugh, Ecker, Healy of Manchester, Ward 6, Sullivan of Manchester, Getz, Kearns, Soucy, Daniel, Wedick, Peaslee, Falconer, Nelson, Wadleigh, Cooper, Ramsdell, Boire, Maynard of Nashua, Ward 3, Brosnahan, Marquis, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Chartrain, Dupont, Ryan, Cormier, Grandmaison,

Janelle, Pelletier of Nashua, Ward 8, Bouthillier, Locke of New Boston, Ashley of New Ipswich, Mailloux, Cummings of Peterborough, French of Weare, Barry.

CHESHIRE COUNTY: Burnham, Perry of Jaffrey, Wheeler, Bennett, Erwin, Turner, Pickett, Worcester, Lang, Billings, Thompson of Winchester.

Nays, 93

SULLIVAN COUNTY: Bascom, Frizzell, Brooks, Millar of Claremont, Carter of Cornish.

GRAFTON COUNTY: Gingras, Chamberlin of Bath, Clarke of Canaan, Avery, Grass, Williams, Atkins, Randall, Martin of Littleton, Huckins, Barney, Horner, Woodward, Sawyer of Woodstock.

COOS COUNTY: Dussault, Hinchey, Moffett, Shields, Henderson of Berlin, Sheridan, Sullivan of Berlin, Fontaine, Roy of Berlin, Fraser, Ellingwood.

ROCKINGHAM COUNTY: Griffin of Auburn, Hazelton, Fecteau, Kendall, Rathbone of Exeter, Richards, Eastman, Sheehy, Sukeforth, Foote, Yeaton, Smart, Ingraham of Portsmouth, Bluitte, Scamman.

STRAFFORD COUNTY: Swain, Locke of Dover, Dustin, St. Pierre, Studley, Cater, Malley.

BELKNAP COUNTY: Weeks, Hart of Laconia, Tilton of Laconia, Ward 3, Keller, Tilton of Laconia, Ward 4, Atwood.

CARROLL COUNTY: Sanborn.

MERRIMACK COUNTY: Nicoll, Vogel, Kennedy of Concord, Saltmarsh, Tilton of Concord, Greene of Concord, Sawyer of Concord, Davis of Hopkinton, Powell.

HILLSBOROUGH COUNTY: Holmes, Black, Sterling, Goodwin, Abbott, Corliss, Pillsbury, Record, Cote, Bass.

CHESHIRE COUNTY: Jackson, Miller of Fitzwilliam, Maloney, Rathbun of Harrisville, Walker, Spofford, Kirk, O'Neil of Keene, Landers, Codding, Walsh, Sherwin, Kershaw, Rhodes, Ingham of Winchester.

And the bill was indefinitely postponed.

Taken from Table

House Bill No. 160, An act relating to real estate brokers and salesmen.

The question being on the amendment as printed in the Journal of June 14, pages 10, 11 and 12.

Mr. Maxwell of Henniker moved that the bill and amendment be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Messrs. Maxwell of Henniker, Chandler of Warner and Lampson of New London spoke in favor of the motion.

Messrs. Tilton of Ward 4, Laconia, Pickett of Keene, Daniels of Manchester and Jones of Lebanon and Mrs. Kendall of Exeter spoke against the motion.

On a *viva voce* vote the motion to indefinitely postpone did not prevail.

The question being on the amendment as printed in the Journal of June 14.

On a *viva voce* vote the amendment was adopted.

Mr. Daniels of Manchester offered the following amendment:

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2. *Real Estate Commission.* There is hereby established a real estate commission to consist of the state insurance commissioner who shall be the chairman thereof and four persons engaged in the business of selling real estate to be appointed by the governor with the advice and consent of the council. The term of each member shall be for two years and until a successor is appointed and qualified. Of the first two appointments one member shall be appointed for one year and one for two years. Vacancies shall be filled for the remainder of any term in the same manner.

(This amendment is the same as proposed on page 10 of Thursday, June 14 Journal except that the word "two" in the third line is changed to the word, four.)

The question being on the amendment offered by Mr. Daniels of Manchester.

Mr. Daniels of Manchester spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Maxwell of Henniker offered the following amendment:

MR. SPEAKER:

I offer the following amendment to House Bill No. 160, and move its adoption:

Amend said bill by striking out section 19 of the original bill and inserting in place thereof the following new section:

Section 19. *Penalty.* All registrations under this act shall be voluntary only, and nothing contained herein shall be construed to require any person to register in order to carry on business as a real estate broker or salesman. However, no person shall hold himself out to be a registered real estate broker or registered real estate salesman nor advertise himself as such, unless he has complied with the provisions of this act. Any person violating this or any other provision of this chapter shall be fined not more than one hundred dollars for each offense.

The question being on the amendment offered by Mr. Maxwell of Henniker.

(Discussion ensued)

Mr. Maxwell of Henniker spoke in favor of the amendment.

Mr. Pickett of Keene spoke against the motion.

On a *viva voce* vote the amendment was not adopted.

The bill was ordered to a third reading.

Taken from the Table

House Bill No. 437, An act relative to fees of registers of deeds.

The question being on the amendment as printed in the Journal of June 14 on pages 16 and 17.

On a *viva voce* vote the amendment was not adopted.

The bill was ordered to a third reading.

Mr. Sanborn of Wakefield, for the Committee on Appropriations, to whom was referred House Bill No. 446, An act

making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1952, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The question being on the report of the committee.

(Discussion ensued)

Messrs. Sanborn of Wakefield, Betley of Manchester and Turner of Keene spoke in favor of the report.

Mr. Pillsbury of Manchester offered the following amendment:

Amend the appropriation for the board of education by striking out the paragraph on state wide supervision and inserting in place thereof the following:

State wide supervision:		
Personal services (net)	$120,000.00	
Other expenditures:		
Superintendents' conference	1,500.00	
Total		$121,500.00

The question being on the amendment.

(Discussion ensued)

Messrs. Pillsbury of Manchester, Scamman of Stratham and Spaulding of Hudson spoke in favor of the amendment.

Mr. Turner of Keene spoke against the amendment.

Mr. Betley of Manchester moved that the bill and amendment be laid upon the table but subsequently withdrew his motion.

(Discussion ensued)

Messrs. Bass of Peterborough, Sanborn of Wakefield, Barry of Wilton, Pickett of Keene and Mrs. Goodwin of Hollis spoke in favor of the amendment.

Messrs. Geisel and Betley of Manchester, Lea of Pembroke and Mrs. Richards of Exeter spoke against the amendment.

Mr. Kennedy of Manchester moved that House Bill No. 146 be recommitted to the Committee on Appropriations.

The question being on the motion to recommit.

(Discussion ensued)

Messrs. Pillsbury of Manchester, Jones of Lebanon, Sanborn of Wakefield and Fernald of Rochester spoke against the motion to recommit.

Mr. Green of Rollinsford moved that House Bill No. 446 be laid upon the table.

On a *viva voce* vote the Chair was in doubt.

Mr. Turner of Keene asked for a division.

A division being had, 165 members having voted in the affirmative and 90 members having voted in the negative and less than two thirds of the elected members being present and voting and less than two thirds of those present having voted either in the affirmative or negative, no valid action was taken and the motion to lay on the table did not prevail.

Mr. Scamman of Stratham moved that the House adjourn from the morning session.

Mr. Betley of Manchester moved that the House adjourn.

On a *viva voce* vote the Chair was in doubt.

Mr. Kennedy asked for a division.

A division being had 186 members having voted in the affirmative and 55 members having voted in the negative, the motion to adjourn prevailed.

House Bill No. 446 went into unfinished business.

The House was immediately called in order in afternoon session.

Afternoon

Third Readings

House Bill No. 160, An act relating to real estate brokers and salesmen.

Reconsideration

Mr. Pickett of Keene moved that the vote whereby the House passed House Bill No. 160 be reconsidered.

On a *viva voce* vote the motion to reconsider did not prevail.

House Bill No. 435, An act to repeal charters of certain corporations.

House Bill No. 437, An act relative to fees of registers of deeds.

House Bill No. 439, An act establishing the John G. Winant Memorial Foundation.

Severally read a third time and passed and sent to the Senate for concurrence.

House Bill No. 86, An act relative to the dollar limit of small claims.

Read a third time and passed and sent to the Secretary of State to be engrossed.

Resolutions

Mrs. Sukeforth of Portsmouth offered the following resolution:

Whereas, today, June 20, 1951, is the eightieth birthday of Harry H. Foote, Representative from Portsmouth for several sessions, therefore be it

Resolved, That we, the members of the House of Representatives, extend our best wishes for a happy birthday and for many happy returns of the day, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Representative Foote.

On a *viva voce* vote the resolution was adopted.

Mr. Geisel of Manchester offered the following resolution:

Whereas, J. Walker Wiggin, Senator from the 16th District, and former Speaker of the House of Representatives, is ill in the hospital, now therefore be it

Resolved, That we, the members of the House of Representatives, hereby express our sympathy to Senator Wiggin in his illness and extend our best wishes for a speedy recovery to health, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Senator Wiggin.

On a *viva voce* vote the resolution was adopted.

Mr. Labranche of Newmarket offered the following resolution:

Whereas, we have learned of the passing of Mrs. Annie Rolfe, mother of Ernest L. Rolfe, Representative from Rochester, therefore be it

Resolved, That we, the members of the House of Repre-

sentatives, hereby extend our sympathy to our fellow member in his bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Representative Rolfe.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wheeler of Keene at 3:55 o'clock the House adjourned.

THURSDAY, JUNE 21, 1951

The House met according to adjournment.

Prayer was offered by Rev. D. Glyn Evans, exchange pastor in Dover of the Congregational minister of Basingstoke, Hampshire, England.

Almighty God, our heavenly Father, Who has made of one blood all the children of men; we thank Thee for every opportunity of fellowship which makes for understanding and peace in this troubled world. Grant that Thy people here assembled may do only that which is righteous in Thy sight. It is from Thee alone that all just laws do proceed; and we would ask that we be made mindful of Thy holy purposes in this State, that it may be a blessing to the nation and the world. We thank Thee for all unselfish service and loyal devotion to public duty; help us at all times to receive it with gratitude and render it in humility. Help us never to cease wondering at Thine unceasing mercy and love towards us, and in gratitude give our lives in humble service to the furthering of Thy Kingdom.

Through Jesus Christ, our Lord. Amen.

Leave of Absence

Mr. Hambleton of Goffstown was granted leave of absence for the day on account of important business.

Unfinished Business

Mr. Sanborn of Wakefield called for the unfinished business.

It being, House Bill No. 446, An act making appropriations for the expenses for the State of New Hampshire for the year ending June 30, 1951.

The question being on the amendment in the Journal of June 20 on page 19.

Mr. Pillsbury of Manchester withdrew the amendment.

Mr. Barry of Wilton offered the following amendment:

Amend the appropriation for the board of education by striking out the paragraph on education of the deaf and inserting in place thereof the following:

Education of the deaf:

Current expenses	$45,000.00
Travel	350.00
Equipment	500.00
Total	$45,850.00

The question being on the amendment offered by Mr. Barry of Wilton.

The question being on the amendment.

(Discussion ensued)

Messrs. Barry of Wilton, Pillsbury, Sanborn of Wakefield and Pickett of Keene, spoke in favor of the amendment.

Mr. Turner of Keene spoke against the amendment.

Mr. Hill of Conway moved that House Bill No. 446 and the amendment be laid upon the table.

The question being on the motion to lay upon the table.

On a *viva voce* vote the motion to lay on the table did not prevail.

Mr. Hill of Conway asked for a division.

A division being had, 149 members having voted in the affirmative, and 165 members having voted in the negative, the motion to lay on the table House Bill No. 446 and the amendment offered by Mr. Barry of Wilton did not prevail.

The question being on the amendment offered by Mr. Barry of Wilton.

Mr. Betley of Manchester moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment offered by Mr. Barry of Wilton.

On a *viva voce* vote the amendment was adopted.

Mr. Carter of Cornish offered the following amendment:

I move that House Bill No. 446, page 66, line 129, be amended by substituting the figure $680,980.00 for the figure $702,929.00.

The question being on the amendment offered by Mr. Carter of Cornish.

(Discussion ensued)

Mr. Carter of Cornish spoke in favor of the amendment.

Mr. Pillsbury of Manchester spoke against the amendment.

Mr. Turner of Keene moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment offered by Mr. Carter of Cornish.

On a *viva voce* vote the amendment was not adopted.

Mr. Maxwell of Henniker offered the following amendment:

Amend the appropriation for the Department of Agriculture by striking out the paragraph on office of commissioner and inserting in place thereof the following:

Office of Commissioner:

Salary of commissioner	$5,400.00
Other personal services	26,290.00
Current expenses	2,910.00
Travel	6,000.00
Equipment	1,153.75
Other expenditures	12,850.00
Total	$54,603.75

The question being on the amendment offered by Mr. Maxwell of Henniker.

(Discussion ensued)

Messrs. Maxwell of Henniker and Pillsbury of Manchester spoke in favor of the amendment.

Mr. Turner of Keene spoke in favor of the amendment.

Mr. Betley of Manchester moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment offered by Mr. Maxwell of Henniker.

On a *viva voce* vote the amendment was adopted.

Mr. Spaulding of Hudson offered the following amendment:

I move that House Bill No. 446, page 65, lines 95 and 96, be amended by substituting the figure $82,000.00 for the figure $58,000.00 in line 95 and the figure $84,820.00 for the figure $60,820.00 in line 96.

The question being on the amendment offered by Mr. Spaulding of Hudson.

(Discussion ensued)

Mr. Spaulding of Hudson spoke in favor of the amendment.

On a *viva voce* vote the amendment offered by Mr. Spaulding was not adopted.

Mr. Baron of Claremont offered the following amendment:

Amend the appropriation for planning and development commission by striking out the same and inserting in place thereof the following:

For planning and development commission:

Salary of director	$ 5,400.00
Other personal services	64,857.00
Current expenses	80,500.00
Travel	4,600.00
Equipment	2,000.00
Other expenditures	23,000.00
Total for planning and development commission	$180,357.00
Less revenue	7,150.00
Net appropriation	$173,207.00

The question being on the amendment offered by Mr. Baron of Claremont.

(Discussion ensued)

Messrs. Baron of Claremont, Pickett of Keene, Turner of Keene, Scamman of Stratham and Martel of Manchester spoke in favor of the amendment.

Messrs. Pillsbury of Manchester, Ferguson of Pittsfield, Sanborn of Wakefield, Hart of Wolfeboro, Fernald of Rochester and Mrs. Morey of Hart's Location spoke against the amendment.

On a *viva voce* vote the amendment offered by Mr. Baron of Claremont was adopted.

Mr. Angus of Claremont offered the following amendment:

Amend the appropriation for inspections division for the bureau of labor as follows: By striking out words and figures "Personal services, $20,940" and inserting in place thereof the following:

Personal services, $23,640; by striking out the word and figure "Travel, $6,000" and inserting in place thereof the following: Travel, $7,200; by striking out the total for said division and inserting in place thereof the figure, $32,890, and by changing the total for bureau of labor from $61,320 to $65,220.

The question being on the amendment offered by Mr. Angus of Claremont.

(Discussion ensued)

Messrs. Angus of Claremont, Pillsbury and Kennedy of Manchester, Wilson of Antrim and Mrs. Greene of Concord spoke in favor of the amendment.

Messrs. Chandler of Warner, Charland of Franklin and Lea of Pembroke spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

Mrs. Greene of Concord asked for a division.

A division being had, 78 members having voted in the affirmative and 202 members having voted in the negative, the amendment offered by Mr. Angus of Claremont was not adopted.

Mrs. Goodwin of Hollis offered the following amendment:

Amend the appropriation for the board of education by striking out the paragraph on state wide supervision and inserting in place thereof the following:

State wide supervision:		
Personal service (net)	$120,000.00	
Other expenditures:		
Superintendents' conference	1,500.00	
Total		$121,500.00

The question being on the amendment offered by Mrs. Goodwin of Hollis.

(Discussion ensued)

Mrs. Goodwin of Hollis and Mr. Pillsbury of Manchester spoke in favor of the amendment.

On a *viva voce* vote the amendment offered by Mrs. Goodwin of Hollis was adopted.

Mr. O'Shan of Laconia asked for a division but subsequently withdrew his request.

Mr. Scamman of Stratham offered the following amendment.

Amend the appropriation for recreation general by striking out the figures "$139,805.00" for other personal services and inserting in place thereof the figures, $166,005.00; and striking out under total for this appropriation the figures "251,938.00" and inserting in place thereof the figures, $278,-138.00, and by striking out the total for recreation "$588,-800.00" and inserting in place thereof the figures, $615,000.00; by striking out the figures "$534,800.00" for less estimated revenue and inserting in place thereof the figures, $561,000.00. Further amend by striking out in the footnote for recreation all after the word "approve" and substitute the words, and such sums shall not lapse.

The question being on the amendment offered by Mr. Scamman of Stratham.

(Discussion ensued)

Messrs. Scamman of Stratham, Grass of Franconia, Sanborn of Wakefield, Pillsbury of Manchester, Wadleigh of

Milford and Mrs. Jackson of Dublin and Mrs. Richards of Exeter spoke in favor of the amendment.

Mr. Turner of Keene spoke against the amendment.

On a *viva voce* vote the amendment offered by Mr. Scamman of Stratham was adopted.

Mr. Hart of Wolfeboro offered the following amendment.

Amend the appropriation for liquor commission under liquor administration by striking out the figures "$27,200.00" for current expenses and inserting in place thereof the following figures, $28,200, and by striking out the figures "$11,790.00" for the total and inserting in place thereof the figures $12,790.00; under beer administration, by striking out the figures "$23,000.00" for travel and inserting in place thereof the figures, $25,000.00, and by striking out the figures "$109,119.50" for total and inserting in place thereof the figures, $111,119.50; under stores operation, by striking out the figures "184,300.00" for travel and inserting in place thereof the figures, $198,300.00, by striking out the figures "649,975.00" for total and inserting in place thereof the figures $663,975.00; under warehouse, by striking out the figures "$24,500.00" for current expenses and inserting in place thereof the figures, $26,500.00, and by striking out the figures "$84,440.00" for total and inserting in place thereof the figures, $86,440.00; under total for liquor commission by striking out the figures "$976,059.50" and inserting in place thereof the figures, $995,059.50; under less revenue by striking out the figures "976,059.50" and inserting in place thereof the figures $995,059.50.

The question being on the amendment offered by Mr. Hart of Wolfeboro.

(Discussion ensued)

Mr. Hart of Wolfeboro spoke in favor of the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Hart of Wolfeboro asked for a division.

A division being had, 97 members having voted in the affirmative and 178 members having voted in the negative, the amendment offered by Mr. Hart of Wolfeboro was not adopted.

Reconsideration

Mr. Pickett of Keene moved that the vote be reconsidered whereby the House voted not to adopt the amendment offered by Mr. Hart of Wolfeboro.

The question being on the motion to reconsider.

(Discussion ensued)

Messrs. Pickett of Keene, Betley of Manchester, Sanborn of Wakefield and Barry of Wilton spoke in favor of the motion.

Mr. Tilton of Concord spoke against the motion.

On a *viva voce* vote the Chair was in doubt.

Mr. Pillsbury of Manchester asked for a division.

A division being had, 162 members having voted in the affirmative and 125 members having voted in the negative, the motion to reconsider prevailed.

The question being on the amendment offered by Mr. Hart of Wolfeboro.

(Discussion ensued)

Mr. Sanborn of Wekefield spoke in favor of the amendment.

Mr. Betley of Manchester moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment offered by Mr. Hart of Wolfeboro.

On a *viva voce* vote the amendment offered by Mr. Hart of Wolfeboro was adopted.

Mr. Jones of Lebanon offered the following amendment.

Amend line 5, page 82 by striking out the figure "70,000" and inserting in place thereof the figure, 10,000; further amend by striking out in line 7, said page 82, the figure "97,698" and inserting in place thereof the figure, 37,698.00, and by striking out in line 12 the figure "112,298.00" and inserting in place thereof the figure, 52,298.00.

The question being on the amendment offered by Mr. Jones of Lebanon.

(Discussion ensued)

Mr. Jones of Lebanon spoke in favor of the amendment.

Mr. Pillsbury of Manchester spoke against the amendment.

(Mr. McMeekin of Haverhill in the Chair)

(Discussion ensued)

Mr. Sanborn of Wakefield and Mrs. Brungot of Berlin spoke against the amendment.

(The Speaker in the Chair)

Mr. Scamman of Stratham spoke against the amendment.

On a *viva voce* vote the amendment offered by Mr. Jones of Lebanon was not adopted.

Mr. Jones of Lebanon asked for a division but subsequently withdrew his request.

Mr. Pickett of Keene moved that the House adjourn.

On a *viva voce* vote the motion to adjourn did not prevail.

Mr. Pickett of Keene asked for a division.

A division being had, 86 members having voted in the affirmative, and 183 members having voted in the negative, the motion to adjourn did not prevail.

Mr. Sanborn of Wakefield offered the following amendment:

Amend line 5 on page 82 by inserting a star after the figure $70,000 and by inserting a star and footnote at the bottom of page 82, said footnote to read as follows: To be spent only upon approval of the governor and council.

The question being on the amendment offered by Mr. Sanborn of Wakefield.

(Discussion ensued)

Mr. Sanborn of Wakefield spoke in favor of the amendment.

On a *viva voce* vote the amendment offered by Mr. Sanborn of Wakefield was adopted.

Mr. Eldredge of Exeter offered the following amendment:

Under Health department sub-head "Commission on Alcoholism," page 29, strike out the total amount $35,860.

The question being on the amendment offered by Mr. Eldredge of Exeter.

(Discussion eusued)

Mr. Eldredge of Exeter spoke in favor of the amendment.

Messrs. Pillsbury of Manchester, Pickett of Keene, Holden of Hanover, Wadleigh of Milford, and Martel and Betley of Manchester, and Mrs. Cooper of Nashua and Mrs. Frizzell of Charlestown, spoke against the amendment.

Mr. Angus of Claremont moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment offered by Mr. Eldredge of Exeter.

On a *viva voce* vote the amendment offered by Mr. Eldredge of Exeter was not adopted.

Mr. Betley of Manchester moved that the House adjourn.

On a *viva voce* vote the Chair was in doubt.

Mr. Betley of Manchester asked for a division.

A division being had, 213 members having voted in the affirmative and 66 members having voted in the negative, the House adjourned.

The House was immediately called to order in afternoon session.

Afternoon

Mr. Sanborn of Wakefield moved that the rules be suspended to allow the introduction of a Senate message.

On a *viva voce* vote the motion prevailed.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had passed the following concurrent resolution, in the passage of which it asked the concurrence of the House of Representatives:

Resolved, That when the Senate adjourns Thursday, June 28th, it be to meet Tuesday, July 3rd at 11:00 o'clock and when it adjourns Tuesday, it be to meet Friday, July 6th at

11:00 o'clock and when it adjourns Friday, it be to meet Tuesday, July 10th, at 11:00 o'clock.

The question being on the concurrent resolution.

Mr. Sanborn of Wakefield moved that the House concur in the concurrent resolution.

The question being on the motion to concur.

(Discussion ensued)

Mr. Pillsbury of Manchester and Mrs. Morey of Hart's Location spoke in favor of the concurrent resolution.

Messrs. Carter of Cornish, Turner of Keene, Wadleigh of Milford, Willey of Campton and Mrs. Atkins of Hanover and Mrs. Cooper of Nashua spoke against the concurrent resolution.

Mr. Barry of Wilton moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on concurrence of the Senate concurrent resolution.

On a *viva voce* vote the House refused to concur in the concurrent resolution.

Mr. Pillsbury of Manchester asked for a division.

A division being had, 107 members having voted in the affirmative and 194 members having voted in the negative, the House refused to concur in the concurrent resolution.

On motion of Mr. Sanborn of Wakefield at 3:30 o'clock the House adjourned until Tuesday, June 26 at 11:00 o'clock.

TUESDAY, JUNE 26, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God of mercy and comfort, again we bow to Thy will as death takes from our midst one of our Senators. Fulfill now Thy promise, O Lord, that thou wilt not leave Thy people comfortless, but will come to them. Remember in mercy, the members of the family of this departed member of our

General Court. Help them, O Lord, to turn to Thee with true discernment, and to abide in Thee through living faith. We thank Thee our God, for the untiring service Thy servant has rendered his community and state. Help us, we beseech Thee, to more fully and effectively memorialize our departed fellow member by taking up his work and by emulating his principles of citizenship. Through Jesus Christ, our Lord. Amen.

Leaves of Absence

Mrs. Goodwin of Hollis was granted leave of absence for the day on account of illness.

Mr. Pelletier of Nashua was granted leave of absence for the day on account of important business.

Mr. Fernald of Rochester was granted leave of absence for the week on account of important business.

Introduction of a Bill

The following bill was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules, House Bill No. 450, An act making temporary appropriations for the expenses of the state of New Hampshire for the month of July, 1951.

Mr. Sanborn of Wakefield moved that rules be suspended and printing and reference to a committee be dispensed with on House Bill No. 450.

The question being on the motion.

(Discussion ensued)

Messrs. Sanborn of Wakefield and Pickett of Keene spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

The rules were suspended, printing and reference to a committee on House Bill No. 450 was dispensed with.

Mr. Sanborn of Wakefield moved the rules be further suspended and House Bill No. 450 be put upon its third reading, by title, and final passage at the present time.

On a *viva voce* vote the motion prevailed.

The bill was read a third time and passed and sent to the Senate for concurrence.

Engrossed Bills Report

Mrs. Corliss of Manchester, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 122, An act relative to permanent magnetic stations and true meridian lines.

House Bill No. 427, An act relative to use of coupons attached to hunting licenses.

House Bill No. 430, An act providing for a supplemental appropriation for certain state departments and institutions.

Senate Bill No. 86, An act relative to the dollar limit of small claims.

The report was accepted.

Reconsideration

Mr. Sanborn of Wakefield moved that the House reconsider the vote whereby it voted not to concur in the Senate message concerning adjournment of week of July 4th.

The question being on the motion to reconsider.

(Discussion ensued)

Messrs. Sanborn of Wakefield, Pickett of Keene, Barry of Wilton, Lea of Pembroke and Charland of Franklin spoke in favor of the motion to reconsider.

Mr. Kennedy of Manchester moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to reconsider the concurrent resolution.

Mr. Foote of Portsmouth asked for a division.

A division being had, the vote was declared manifestly in the affirmative and the House reconsidered its vote on the concurrent resolution sent down from the Senate.

The question being on the concurrence in the Senate concurrent resolution.

Mr. Sanborn of Wakefield moved that the House concur in the concurrent resolution.

On a *viva voce* vote the House concurred in the concurrent resolution.

Committee Reports

Mrs. Atwood of Sanbornton, for the Committee on Education, to whom was referred House Bill No. 240, An act relating to cooperative school districts, reported the same in new draft, with the recommendation that the bill in its new draft be recommitted to the Committee on Education.

The report was accepted.

The bill in its new draft was read a first and second time, laid upon the table to be printed and recommitted to the Committee on Education.

Mr. Davis of Hopkinton, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 444, An act relative to trustees of Brewster Free Academy, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the bill by striking out sections 1 and 2 and inserting in place thereof the following:

1. *Brewster Free Academy.* Amend section 3 of chapter 167 of the Laws of 1887 by striking out said section and inserting in place thereof the following:

Section 3. The board of trustees shall hereafter be composed of eleven members, four of whom shall be members *ex-officio*, and seven of whom shall be selected as hereinafter provided. The four *ex-officio* members shall be the three trustees under the seventh or residuary clause in the will of John Brewster and a member of the school board of Wolfeborough to be selected from said school board in March of each year by the board of trustees by majority of ballots cast by said board of trustees. The trustees under said will and their several successors in said trust under said will shall each be trustees of the academy so long as they severally remain trustees under said will. The member of said school board of Wolfeborough so selected shall be a trustee for one year from the date of his selection. He may be eligible for selection for a further like term or terms providing he remains a member of said school board of Wolfeborough, but shall have no vote in said selection. The remaining seven trustees shall be those elected trustees now serving except for the present trustee who is also principal of the academy. Said seven trustees shall

complete the terms for which they have been elected heretofore. Thereafter, as the term of one of said seven elected trustees shall expire each year, at the annual meeting of each year a trustee shall be elected by the board to take the place of the retiring member. The retiring member shall be eligible for re-election, but shall have no vote in such election. If a vacancy shall occur among the aforesaid seven trustees, or their successors, or the selected trustee from the school board of said Wolfeborough, the board shall elect or select a trustee to serve for the unexpired balance of the affected term.

The principal of the academy shall be elected by the board of trustees and shall attend meetings of the board of trustees but shall not have a vote therein.

2. *Application, Present Trustees.* On or before September 1, 1951 the trustees of said academy shall meet to select in the manner hereinbefore provided from the present school board of Wolfeborough a new trustee in lieu of the principal-trustee heretofore elected. Said trustee from said school board of Wolfeborough shall serve until the annual meeting of the school district of Wolfeborough in March of 1952 and thereafter his successor shall be selected as provided in subsection 1 above.

The report was accepted.

The reading of the amendment having commenced, on motion of Mr. Hart of Wolfeboro, further reading of the amendment was dispensed with.

Mr. Hart of Wolfeboro moved that the amendment be adopted.

The question being on the motion of Mr. Hart.

(Discussion ensued)

Mr. Hart of Wolfeboro spoke in favor of the motion.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mrs. Cooper of Nashua, for the Committee on Judiciary, to whom was referred House Bill No. 308, An act relating to investments of trust funds of the industrial school and cemetery corporation, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relating to investment of trust funds by towns and cities, cemetery corporations, state institutions and the United Baptist Convention of New Hampshire.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Common Trust Funds.* Amend chapter 51 of the Revised Laws by inserting after section 31 the following new sections: 31-a. *Collective Investments.* Notwithstanding any statute or rule of law to the contrary, town and city trustees of trust funds may establish, maintain and operate one or more common trust funds, in which may be combined money and property belonging to the various trusts in their care, for the purpose of facilitating investments, providing diversification and obtaining reasonable income; provided however, that said common trust funds shall be limited to the investments authorized in section 23 of this chapter; provided further, that not more than ten thousand dollars, or more than ten percent of the fund whichever is greater, of any town or city common trust funds shall be invested under section 23 in the obligations of any one corporation or organization, excepting deposits in savings banks, obligations of the United States and of the State of New Hampshire and its subdivisions; and provided further, that the participating contributory interests of said trusts are property evidenced by appropriate bookkeeping entries showing on an annual basis the capital contribution of and the profits and income allocable to each trust. 31-b. *Contributions and Withdrawals.* Contribution to any common trust fund shall be made on the basis of its market value at the time such contribution is recorded in the books of the trustees. The withdrawal of a particular trust fund from any common trust fund shall be made proportionately on the basis of the market value of said common trust fund at the time such withdrawal is recorded in the books of the trustees. 31-c. *Exception.* The provisions of section 31-a shall not apply where the instrument creating the particular trust specifically prohibits collective investment or where such investment shall violate any specific court order made in any particular trust. 31-d. *Reports.* A copy of the reports required of the town and city trustees and of the auditor thereof

shall be filed annually with the attorney-general. 31-e. *Application.* The provisions of sections 23, 31-a, 31-b, 31-c, and 31-d shall be construed liberally to effectuate the purposes stated in section 31-a.

2. *Cemetery Corporations.* Amend chapter 68 of the Revised Laws by inserting after section 12 the following new sections: 12-a. *Investments.* Cemetery corporations holding funds in trust as provided in section 12 may establish, maintain and operate common trust funds as provided in sections 31-a, 31-b, 31-c and 31-e of chapter 51 of the Revised Laws. 12-b. *Reports.* A copy of the annual financial report of such corporations shall be filed with the attorney-general unless otherwise required by law to file such a report with any town, city, county or state agency.

3. *State Trust Funds.* Amend section 5 of chapter 210 of the Laws of 1943 by striking out said section and inserting in place thereof the following: 5. *Investment of State Trust Funds.* The state agencies administering state trust funds may establish, maintain and operate common trust funds as provided in sections 23, 31-a, 31-b and 31-c of chapter 51 of the Revised Laws.

4. *Accounts.* Amend section 7 of chapter 210 of the Laws of 1943 by striking out said section and inserting in place thereof the following: 7. *Accounts.* The agencies designated to administer the trust funds specified in section 1 shall keep appropriate bookkeeping records, showing on an annual basis the amount of each trust fund and the profits and income allocable to each trust. A copy of such records shall be approved annually by the governor and council and filed with the state treasurer.

5. *The United Baptist Convention of New Hampshire.* The United Baptist Convention of New Hampshire a corporation organized under an act of the legislature approved June 24, 1826, as amended through its trustees, is authorized to merge any and all funds received or held by it into a consolidated investment fund. Each separate fund so merged shall be represented by its proportionate part of said consolidated investment fund, and income returnable for each separate fund so merged shall be that proportion of the total net income earned by said consolidated investment fund which each separate fund so merged bears to the whole investment fund. In

any accounting, probate or otherwise, of the administration of said separate funds a proper account filed in accordance with the merger and investment powers herein conferred shall be accepted and approved. Provided however, that no funds shall be merged under the authority hereof if the investment creating the trust provides otherwise.

6. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted.

The bill with the amendment pending was laid upon the table to be printed under Rule No. 48, to be taken up Thursday, June 28.

Mr. Perkins of Concord, for the Committee on Judiciary, to whom was referred House Bill No. 423, An act relative to subversive activities, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Black of Bennington, for the Committee on Military and Veterans Affairs, to whom was referred House Bill No. 440, An act relative to authority of the director of the state veterans council to act as guardian of mentally incompetent veterans in certain cases, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Black of Bennington, for the Committee on Military and Veterans Affairs, to whom was referred House Bill No. 442, An act relative to burial expenses of certain veterans, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Doonan of Greenville, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 115, An act establishing an official water gauge for Merrymeeting Lake, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and resolution of the committee adopted.

Taken from the Table

House Bill No. 58, An act relative to records of salt water fish catch.

The question being on the amendment as printed on pages 10 and 11 of the Journal of June 20, 1951.

On a *viva voce* vote the amendment was adopted, and the bill referred to the committee.

House Bill No. 403, An act relative to fees for testing and sealing weighing and measuring devices and inspectors and city sealers.

The question being on the amendment as printed on pages 13 and 14 of the Journal of June 20, 1951.

On a *viva voce* voce the amendment was adopted, and the bill ordered to a third reading.

House Bill No. 408, An act relative to taking, transportation and sale of lobsters and lobster meat.

The question being on the amendment as printed on pages 11 and 12 of the Journal of June 20, 1951.

On a *viva voce* vote the amendment was adopted.

Mr. Pickett of Keene offered the following amendment:

Amend the section numbered 47-c as inserted by section 3 of said bill by striking out the same and inserting in place thereof the following:

47-c. *Mutilated Lobsters.* The possession of lobsters, or parts thereof, alive or dead, cooked or uncooked, mutilated in such manner as to make accurate measurements as prescribed in this chapter impossible, shall be *prima facie* evidence that they are not of required legal length. Provided that this section shall not apply to hotels, restaurants or individuals having in possession chopped lobster meat as provided in section 47-a.

The question being on the amendment.

(Discussion ensued)

Mr. Pickett of Keene spoke in favor of the amendment.

Mr. Washburn of Bartlett spoke against the amendment.

Mr. Pickett of Keene asked for a division.

A division being had, 139 members having voted in the affirmative and 137 members having voted in the negative, the amendment was adopted.

The bill was ordered to a third reading.

Unfinished Business

Mr. Sanborn of Wakefield called for the unfinished business.

It being House Bill No. 446, An act making appropriations for the expenses of the state of New Hampshire for the year ending June 30, 1952.

The bill being on its second reading, Mr. Brown of Strafford offered the following amendment:

Amend page 60, under heading "For Board of Education," by striking out in the fourth line the figures $93,071.76 and inserting the figures $103,536.40.

The question being on the amendment offered by Mr. Brown of Strafford.

(Discussion ensued)

Mr. Carter of Cornish spoke in favor of the amendment.

Messrs. Scamman of Stratham and Pickett of Keene spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Ecker of Manchester offered the following amendment:

Amend House Bill No. 446, on page 2, in line six, by striking out the figures $6,000 and inserting in place thereof the figures $500.

Further amend by striking out the figures $39,203 in the thirteenth line and inserting the figures $33,703.

The question being on the amendment offered by Mr. Ecker of Manchester.

(Discussion ensued)

Mr. Ecker of Manchester and Mrs. Dondero of Portsmouth spoke in favor of the amendment.

Messrs. Pillsbury of Manchester, Sanborn of Wakefield, Brown of Laconia and Wadleigh of Milford, spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Sanborn of Wakefield moved that House Bill No. 446, as amended, be laid upon the table.

On a *viva voce* vote the motion prevailed, and House Bill No. 446 was laid upon the table.

Mr. Sanborn of Wakefield, for the Committee on Appropriations, to whom was referred House Bill No. 447, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1953, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The bill being on its second reading, Mr. Pillsbury of Manchester offered the following amendment:

Amend the appropriation for the board of education by striking out the paragraph on state wide supervision and inserting in place thereof the following:

State wide supervision:		
Personal service (net)	$120,000.00	
Other expenditures:		
Superintendents' conference	1,500.00	
Total		$121,500.00

The question being on the amendment offered by Mr. Pillsbury.

(Discussion ensued)

Mr. Pillsbury of Manchester spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Barry of Wilton offered the following amendment:

Amend the appropriation for the board of education by striking out the paragraph on education of the deaf and inserting in place thereof the following:

Education of the deaf:		
Current expenses	$45,000.00	
Travel	350.00	
Equipment	500.00	
Total		$45,850.00

The question being on the amendment offered by Mr. Barry of Wilton.

(Discussion ensued)

Messrs. Barry of Wilton and Sanborn of Wakefield spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Scamman of Stratham offered the following amendment:

Amend the appropriation for recreation general by striking out the figures "$158,493.00" for other personal services, and inserting in place thereof the figures, $184,693.00; and striking out under the total for this appropriation the figures "$273,199.49" and inserting in place thereof the figures, $299,399.49; and by striking out the total for recreation "$588,800.00" and inserting in place thereof the figures, $615,000.00; by striking out the figures "534,800.00" for less estimated revenue and inserting in place thereof the figures, $561,000.00. Further amend by striking out in the footnote for recreation all after the word "approve" and substituting the words, and such sums shall not lapse.

The question being on the amendment offered by Mr. Scamman of Stratham.

(Discussion ensued)

Mr. Scamman of Stratham spoke in favor of the amendment.

On a *viva voce* vote the Chair was in doubt.

Mr. Scamman of Stratham asked for a division.

A division being had, 173 members having voted in the affirmative, and 78 members having voted in the negative, the amendment was adopted.

Mr. Baron of Claremont offered the following amendment:

Amend the appropriation for planning and development commission by striking out the same and inserting in place thereof the following:

For planning and development commission:

Salary of director	$5,500.00
Other personal services	68,900.00

Current expenses	80,500.00	
Travel	5,000.00	
Equipment	2,000.00	
Other expenditures	23,000.00	
Total for planning and development	$184,900.00	
Less revenue	7,150.00	
Net appropriation		$177,750.00

The question being on the amendment offered by Mr. Baron of Claremont.

(Discussion ensued)

Mr. Baron of Claremont spoke in favor of the amendment.

Mr. Pillsbury of Manchester spoke against the amendment.

On a *viva voce* vote the Chair was in doubt.

Mr. Scamman of Stratham asked for a division.

A division being had, 195 members having voted in the affirmative, and 92 members having voted in the negative, the amendment was adopted.

Mr. Sanborn of Wakefield offered the following amendment:

Amend line on page 80 by inserting a star after the figure $70,000 and by inserting a star and footnote at the bottom of page 80, said footnote to read as follows: To be spent only upon approval of the governor and council.

The question being on the amendment.

(Discussion ensued)

Mr. Sanborn of Wakefield spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Hart of Wolfeboro offered the following amendment:

Amend the appropriation for liquor commission under liquor administration by striking out the figures "$27,400.00" for current expenses and inserting in place thereof the following figures, $28,400.00, and by striking out the figures "$114,-

000.00" for total and inserting in place thereof the figures, $115,000:00; under beer administration, by striking out the figures "$23,000.00" for travel and inserting in place thereof the figures, $25,000.00, and by striking out the figures $110,-619.50" for total and inserting in place thereof the figures, $112,619.50; under stores operation, by striking out the figures "$185,500.00" for current expenses and inserting in place thereof the figures, $199,800.00, and striking out the figures "662,005.00" for total and inserting in place thereof the figures, $676,005.00; under warehouse, by striking out the figures "$24,800.00" for current expenses and inserting in place thereof the figures, $26,800.00 and by striking out the figures "$85,760.00" for total and inserting in place thereof the figures, $87,760.00; under total for liquor commission by striking out the figures "$993,319.50" and inserting in place thereof the figures, $1,012,319.50; and under less revenue, by striking out the figures "$993,319.50" and inserting in place thereof the figures, $1,012,319.50.

The question being on the amendment offered by Mr. Hart of Wolfeboro.

(Discussion ensued)

Messrs. Hart of Wolfeboro, Sanborn of Wakefield and Pickett of Keene spoke in favor of the motion.

On a *viva voce* vote the amendment was adopted.

Mr. Maxwell of Henniker offered the following amendment:

Amend the appropriation for the department of agriculture by striking out the paragraph on Office of the commissioner and inserting in place thereof the following:

For department of agriculture:

Office of commissioner:	
Salary of commissioner	$5,500.00
Other personal services	27,220.00
Current expenses	3,860.00
Travel	6,000.00
Equipment	456.00
Other expenditures	13,635.00
Total	$56,671.00

The question being on the amendment offered by Mr. Maxwell of Henniker.

(Discussion ensued)

Messrs. Maxwell of Henniker and Pillsbury of Manchester spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Payeur of Pembroke offered the following amendment:

Amend page 2, line 6 by striking out the figure "$6,000.00" and inserting in place the figure, $3,000.00; further amend in line 13 by striking out the figure "$39,568.00" and inserting the figure, $36,568.00.

The question being on the amendment offered by Mr. Payeur of Pembroke.

(Discussion ensued)

Mr. Payeur of Pembroke spoke in favor of the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Payeur of Pembroke asked for a division.

A division being had, 66 members having voted in the affirmative and 183 members having voted in the negative, the amendment was not adopted.

Mr. Sanborn of Wakefield moved that House Bill No. 447, as amended, be laid upon the table.

On a *viva voce* vote the bill was laid upon the table.

Special Order

Mr. Baron of Claremont called for the special order.

It being House Joint Resolution No. 38, Joint resolution relative to settlement of the Groveton Papers Company's note and mortgage to Coos county.

Mr. Baron of Claremont moved that House Joint Resolution No. 38 be indefinitely postponed.

(Discussion ensued)

Mr. Baron of Claremont spoke in favor of the motion.

Mr. Sanborn of Wakefield spoke against the motion.

(Mr. Pickett of Keene in the Chair)

Mr. Roy of Berlin spoke in favor of the motion.

Messrs. Christopher of Northumberland, Means of Milan, Evans of Lancaster, Willey of Campton and Emerson of Dalton and Mrs. Brungot of Berlin spoke against the motion.

(The Speaker in the Chair)

Mr. Kennedy of Manchester moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the motion did not prevail.

Mr. Sullivan of Berlin demanded the yeas and nays, but subsequently withdrew his demand.

Mr. Baron of Claremont asked for a division.

A division being had, 60 members having voted in the affirmative and 181 members having voted in the negative, the motion to indefinitely postpone did not prevail.

The question being, Shall the bill be read a third time?

On a *viva voce* vote the bill was ordered to a third reading.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 425, An act relative to liability under insurance policies issued to the state and municipal subdivisions thereof.

Amend section 1 of the bill by striking out section 1 thereof and substituting in place thereof the following:

1. *Insurance Coverage, State and Municipal Subdivisions.* Amend chapter 329 of Revised Laws by inserting after section 2 the following new section: 2-a. *Limited Liability.* It shall be lawful for the state or any municipal subdivision thereof, including any county, city, town, school district or other district, to procure the policies of insurance described in section 1 of this chapter. In any action against the state or any municipal subdivision thereof to enforce liability on account of a risk so insured against, the insuring company or state or municipal subdivision thereof, shall not

be allowed to plead as a defense immunity from liability for damages resulting from the performance of governmental functions, and its liability shall be determined as in the case of a private corporation. Provided, however, that liability in any such case shall not exceed the limits of coverage specified in the policy of insurance, and the court shall abate any verdict in any such action to the extent that it exceeds such policy limit.

Mr. Crosby of Hillsborough moved that the House nonconcur in the Senate amendment and that a Committee of Conference be appointed.

On a *viva voce* vote the motion was adopted.

The Speaker appointed as members on such committee on the part of the House, Messrs. McMeekin of Haverhill, Crosby of Hillsborough and Griffin of Lincoln.

House Bill No. 417, An act creating the New Hampshire Business Development Corporation.

Amend said bill by striking out sections 3 and 4 thereof and inserting in place thereof the following new sections:

3. *Purposes and General Powers.* The purposes of this corporation shall be to promote, assist, encourage and through the cooperative efforts of the institutions and corporations which shall from time to time become members thereof, develop and advance the business prosperity and economy of the State of New Hampshire; to encourage new industries and to rehabilitate existing industries in the State of New Hampshire; to promote and stimulate the expansion of New Hampshire business ventures which tend to increase the growth and thrift of the State; to cooperate and act in conjunction with other organizations, the objects of which are the promotion of industrial, agricultural and recreational developments within the State; and to loan to approved and deserving applicants money for the carrying on and development of all kinds of business undertakings in the State of New Hampshire, thereby establishing a medium of credit not otherwise readily available therefor; and in furtherance of such purposes and in addition to the powers conferred by the general laws relating to business corporations, this corporation shall, subject to the restrictions and limitations herein contained, have the following powers:

I. To borrow money on secured or unsecured notes from any bank, banking institution, insurance or surety company, within the State which shall be a member of this corporation and from other non-member persons, firms or corporations within the State; and to pledge bonds, notes and other securities as collateral therefor; provided, that in no case shall the amount so loaned by any member exceed the limit as hereinafter defined.

II. To lend money upon secured or unsecured applications; provided that it shall not be the intention hereof to take from the banking institutions within the State any such loans or commitments as may be desired by such institutions generally in the ordinary course of their business.

III. To establish and regulate the terms and conditions of any such loans and the charges for interest or service connected therewith.

IV. To purchase, hold, lease and otherwise acquire and to convey such real and personal estate as may from time to time be acquired by it in the satisfaction of debts, or pursuant to the terms and conditions of loans, or as may be acquired by it in the foreclosure of mortgage thereon, or upon judgments for debt or in settlements to secure debts.

V. To promote the establishment of local industrial foundations in the various communities of the State, to enter into agreements with them, and to cooperate with, assist and otherwise encourage such local foundations.

4. *Capital Stock.* The capital stock of this corporation shall be one thousand shares of no par value, which shall be issued for one hundred dollars per share in cash. At least twenty-five per cent of such capital stock shall be paid into the treasury of the corporation in cash before the corporation shall be authorized to transact any business other than such as relates to its organization. At least a majority of the capital stock shall at all times be held by residents of this State or by persons, firms or corporations engaged in doing business therein.

On motion of Mr. Perkins of Concord the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 412, An act naming certain bridges in Lancaster and Bradford.

Amend the bill by adding a new section to be number two as follows:

2. *Highway in Hart's Location.* Amend section 6 of part 2 of chapter 90 of the Revised Laws, as amended by section 2, chapter 215, Laws of 1947 and section 1, chapter 230, Laws of 1949, by inserting after the word "Bartlett" in the ninth line the words: the Arethusa Falls road in the town of Hart's Location, so that said section as amended shall read as follows: 6. *Class III Recreational Roads.* The state highway department shall assume full control of reconstruction and maintenance of roads designated by the forestry and recreation commission and highway commissioner within the following state reservations and rights of way thereto, and such roads shall be known as recreational roads: Belknap State Reservation in the town of Gilford; Cathedral Ledge State Reservation in the towns of Conway and Bartlett; the Arethusa Falls road in the town of Hart's Location; Pillsbury State Reservation in the town of Washington; White Lake State Park in the town of Tamworth; Pawtuckaway State Reservation in the towns of Nottingham and Deerfield; Milan Hill State Park in the town of Milan; Cardigan State Reservation in the town of Orange; Kearsarge State Reservation in the town of Wilmot; Mt. Sunapee State Park in the town of Newbury; Rhododendron State Reservation in the town of Fitzwilliam; Bear Brook State Reservation in the towns of Deerfield, Hooksett, Allenstown and Candia; and the road formerly known as the Kearsarge Mountain Toll road in the town of Warner, extending from the original toll gate location to its terminus near the summit of Kearsarge Mountain; and Monadnock State Forest Reservation in the town of Jaffrey. The cost of reconstruction and maintenance shall be a charge upon the highway funds. This section shall not be construed as affecting the control of the forestry and recreation department over parking areas or other facilities within said reservations.

Further amend the bill by renumbering section 2 to read section 3.

On motion of Mr. Ingham of Winchester, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bill, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 410, An act relative to aeronautical appropriations.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Aeronautical Appropriations.* Notwithstanding other provision of law the unexpended balance of the amount appropriated by section 33 of chapter 306 of the Revised Laws, as inserted by section 10, chapter 281, Laws of 1947, shall be deemed to be appropriated for the purposes specified in said section and be available for such expenditures for a period of three years from the date of the passage of this act.

On motion of Mr. Sanborn of Wakefield the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to accede to the request of the House for a Committee of Conference on House Bill No. 383, An act relative to fees for licenses to hunt or fish and for guides.

Pursuant to the above request the President appointed, as members of such committee on the part of the Senate, Senators Blake and Hayes.

House Bill No. 265, An act relating to the reciprocal enforcement of support.

The President appointed as members of the Committee of Conference on the part of the Senate, Senators Cleveland and Wiggin.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 284, An act relating to trespassing on posted land.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 430, An act providing for a supplemental appropriation for state institutions.

House Bill No. 122, An act relative to permanent magnetic stations and true meridian lines.

The message further announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill:

Senate Bill No. 75, An act to provide for short-form deeds.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 24, An act authorizing lump sum and compromise awards under the Workmen's Compensation Law and for other purposes.

Senate Bill No. 94, An act relating to parking meters.

Senate Bill No. 95, An act relative to erection of television power poles and other structures in public highways.

Senate Bills Read and Referred

Senate Bill No. 24, An act authorizing lump sum and compromise awards under the Workmen's Compensation Law and for other purposes.

Read a first and second time and referred to the Committee on Labor.

Senate Bill No. 94, An act relating to parking meters.

Read a first and second time and referred to the Committee on Municipal and County Government.

Senate Bill No. 95, An act relative to erection of television power poles and other structures in public highways.

Read a first and second time and referred to the Committee on Judiciary.

Resolutions

Mrs. Studley of Rochester offered the following resolution:

Whereas, we have learned with sorrow of the passing of Thomas H. Burbank of Rochester, Senator from the Twentieth District since 1949, and

Whereas, Senator Burbank has served his city, state and country with great efficiency and thoroughness, has been Mayor of the City of Rochester, now therefore be it

Resolved, That we, the members of the House of Representatives hereby pay tribute to Senator Burbank for his services and express our appreciation for his friendliness and helpfulness and extend our heartfelt sympathy to the family in its bereavement, and be it further

Resolved, That the Speaker of the House appoint a committee to attend the funeral services and that a floral tribute be procured, and be it further

Resolved, That when the House adjourns today it be in respect to the Senator's memory, and be it further

Resolved, That the Clerk of the House transmit to Mrs. Burbank a copy of these resolutions.

The resolutions were unanimously adopted by a rising vote.

The Speaker appointed the Strafford County Delegation to attend the funeral.

Committee Appointment

The Speaker appointed Mr. Sawyer of Concord to the vacancy on the Committee on Interstate Cooperation, caused by the resignation of Mr. Normandin of Laconia.

On motion of Mr. Wadleigh of Milford the rules were suspended, business in order at 3:00 o'clock was made in order at the present time, and the third reading of bills by their titles and a joint resolution, by its caption, was made in order.

Third Readings

House Bill No. 403, An act relative to fees for testing and sealing and weighing and measuring devices and inspectors and city sealers.

House Bill No. 408, An act relative to taking, transportation and sale of lobsters and lobster meat.

House Bill No. 440, An act relative to authority of the director of the state veterans council to act as guardian of mentally incompetent veterans in certain cases.

House Bill No. 442, An act relative to burial expenses of certain veterans.

House Bill No. 444, An act relative to trustees of Brewster Free Academy.

House Joint Resolution No. 38, Joint resolution relative to settlement of the Groveton Papers Company's note and mortgage to Coos county.

Severally read a third time and passed, and sent to the Senate for concurrence.

Reconsideration

Mrs. Brungot of Berlin moved that the House reconsider the vote whereby it passed House Joint Resolution No. 38.

On a *viva voce* vote the motion to reconsider did not prevail.

On motion of Mr. Hepworth of Derry at 2:30 o'clock the House adjourned.

WEDNESDAY, JUNE 27, 1951

The House met according to adjournment.

Prayer was offered by Rev. George F. Currier, Pastor of Milton Community Church, Milton, N. H.

Our Father in Heaven, Thou great and infinite Creator of things. We come before thee this morning as Thy children knowing that Thou art Love, not only to us but to all others.

We come, our Father, knowing our shortcomings and how very far we have come from carrying out Thy command to build the Kingdom of God on earth. We come realizing that there is much suffering in the world borne by others, but that it might well have been our suffering had war devastated our land, as it has others.

We are thankful today for our libraries, our schools and colleges, and all evidences of learning among us. We are deeply thankful for our high standards of living—so high in the lives of some, and yet as a state and nation carried on at such great cost in human life. God grant that the time may come when we will use our intelligence, and our God-given power well enough so that we will not need war to increase our prosperity.

May we try to put ourselves in the places of those displaced persons, who today are without homes, who know not of their loved ones; may we put ourselves in the place of those young men who in line of duty, and at the command of superior officers have dropped bombs on innocent people and because of their sense of guilt are insane, or perhaps crippled for life.

God grant that the work we do as law-makers shall be a credit to men and women of mature, Christian minds, those who are trying to build Christ's kingdom on earth.

In the name of Christ, our Savior we pray this today.

Amen.

Leaves of Absence

Mrs. Goodwin of Hillsborough was granted leave of absence for the day on account of illness.

Mr. Perry of Jaffrey was granted leave of absence for the day on account of important business.

Communication

The following communication was read by the Speaker.

SPEAKER LANE DWINELL

House of Representatives

The committee appointed on May 18, 1950, by the Speaker of the House of Representatives to prepare a plan for re-

apportionment of representation in the New Hampshire House of Representatives herewith presents its report.

BURNHAM CARTER,
ELMER H. DOWNS,
LAURENCE M. PICKETT,
C. MURRAY SAWYER,
CHARLES R. HOLDEN,
Chairman.

The report is contained in House Bill No. 451.

Introduction of Bill

The following bill was read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules:

House Bill No. 451, An act relating to the election of Representatives to the General Court.

Read a first and second time and referred to the Committee on Judiciary.

Committee Reports

Mrs. Sawyer of Woodstock, for the Committee on Education, to whom was referred House Bill No. 228, An act to provide for the approval of private educational and training institutions by the state board of education, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Putney of Andover, for the Committee on Fish and Game, to whom was referred Senate Bill No. 84, An act to restrict the cutting or gathering of seaweed, rockweed and sea moss, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Peever of Salem, for the Committee on Ways and Means, to whom was referred House Bill No. 105, An act

relating to pari mutuel pools at race meets, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Benson of Conway moved that the words, ought to pass, be substituted for the resolution of the committee, inexpedient to legislate.

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Benson of Conway, Pillsbury of Manchester, Turner of Keene and Mrs. Millar of Claremont spoke in favor of the motion.

Messrs. Peever of Salem, Jones of Lebanon, and Baron of Claremont, and Mrs. Atwood of Hanover, Mrs. Brooks of Claremont and Mrs. Dondero of Portsmouth, spoke against the motion.

Mr. Scamman of Stratham moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute the words, ought to pass, for the resolution of the committee, inexpedient to legislate.

Mr. Pillsbury of Manchester demanded the Yeas and Nays, and the roll was called with the following result:

Yeas, 156

HILLSBOROUGH COUNTY: Holmes, Wilson, French of Bedford, Black, Farwell, Hambleton, Poore, Reed, Abbott, Kennedy of Manchester, Pillsbury, Martel, Ellis, Peaslee, Falconer, Wadleigh, Boire, Janelle, Pelletier of Nashua, Ward 8, Locke of New Boston, Ashley of New Ipswich, Cummings of of Peterborough, French of Weare.

CHESHIRE COUNTY: Burbank, Jackson, Miller of Fitzwilliam, Rathbun of Harrisville, Walker, O'Neil of Keene, Landers, Wheeler, Bennett, Erwin, Codding, Turner, Pickett, Walsh, Worcester, Lang, Billings, Ingham of Winchester.

SULLIVAN COUNTY: Bascom, Frizzell, Converse, Bissonnett, Millar of Claremont, Carton, Bailey, Perry of Newport, Vaughan, Callum.

GRAFTON COUNTY: Plumer, Clarke of Canaan, Grass, Williams, Chamberlin of Haverhill, Sleeper, Ashley of Lebanon, Cole, Randall, Collins of Lisbon, Kelley, Martin of Littleton, Burrill, Howard, Horner, Woodward, Gilbert, Sawyer of Woodstock.

COOS COUNTY: Dussault, Shields, Brungot, Rines, Gould, Emerson, Kimball, Means, Hilliard, Placy.

ROCKINGHAM COUNTY: Wastcoat, Eldredge, Rathbone of Exeter, Bonney, Putnam, Merrill, Thurlow, Eastman, Hall of Londonderry, Carter of No. Hampton, Pinkham, Colcord, Sukeforth, Dame, Bluitte, Philbrick.

STRAFFORD COUNTY: Swain, Felker, Henderson of Durham, Blanchard, Caldwell, Horne, Dustin, Maxfield, Winters, Studley, Green of Rollinsford, Lagueux, Letourneau, Coffin, Cater of Somersworth, Malley.

BELKNAP COUNTY: Perkins of Alton, McAllister, Boutin, Weeks, Osborne, Simoneau, Tilton of Laconia, Ward 3, Tilton of Laconia, Ward 4, Matthews, Atwood, Metcalf.

CARROLL COUNTY: Washburn, Benson, Hill, Nickerson, Lamprey, Knox, Remick, Hodgdon, Sanborn.

MERRIMACK COUNTY: Putney, Ellsworth, Nicoll, Moore, Vogel, Marden, Ferrin, Tebbetts, Kennedy of Concord, Tobey, Perkins of Concord, O'Neil of Concord, Tilton of Concord, Bunten, Sawyer of Concord, Sargent, Hadley, Ayotte, Maxwell, Davis of Hopkinton, Smith of Loudon, Milligan, Wilman, Ferguson, Powell, Sawyer of Wilmot.

Nays, 199

HILLSBOROUGH COUNTY: Doonan, English, Crosby, Sterling, Spaulding of Hudson, Cummings of Lyndeborough, Corliss, Pettigrew, Danforth, Geisel, Connor, Dwyer, Sweeney, Fitzgerald, Kean, Nolan, Betley, Healy of Manchester, Ward 5, Kazakis, Proulx, Shea of Manchester, Casey, Cavanaugh, Clancy, Ecker, Healy of Manchester, Ward 6, Zyla, Downey, Marcoux, Sullivan of Manchester, Constant, Delisle, Cary, Gagnon, Auger, Getz, Kearns, Roche, Roukey, Lareau, Soucy, Vaillancourt, Daniel, Gauthier, Thibodeau, Cannon, Donnelly, Wedick, Cooper, Ramsdell, Underhill, Record, Belcourt, May-

nard of Nashua, Ward 3, Brosnahan, Cote, Marquis, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Chartrain, Dupont, Ryan, Cormier, Grandmaison, Bouthillier, Pelletier of Nashua, Ward 9, Mailloux, Barry.

CHESHIRE COUNTY: Dort, Spofford, Sherwin, Kershaw, Rhodes, Thompson of Winchester.

SULLIVAN COUNTY: Angus, Brooks, Nahil, Baron of Claremont, Marcotte of Claremont, Carter of Cornish, Pierce, Gamsby.

GRAFTON COUNTY: Gingras, Chamberlin of Bath, Willey, Avery, Lorden, Atkins, Fuller, Holden of Hanover, McMeekin, Adams, Jones, Gardner, Pushee, Skinner, Bell, Huckins, Barney, Anderson.

COOS COUNTY: Hinchey, Moffett, Desilets, Henderson of Berlin, Sheridan, Sullivan of Berlin, Bouchard, Fontaine, LaForce, Roy of Berlin, Cummings of Colebrook, Oakes, Fraser, Evans, Simonds, Christopher, Ellingwood, Stinson, Taylor.

ROCKINGHAM COUNTY: Tuttle, Griffin of Auburn, Hazelton, Darbe, Clark of Derry, Gay, Hepworth, Freeman of East Kingston, Fecteau, Kendall, Richards, Ring, McNeil, McCaffery, Sheehy, Holden of Newington, LaBranche of Newmarket, Sewall, Wells, McDaniel, Dondero, Durell, Foote, Yeaton, Smart, Ingraham of Portsmouth, Haigh, Peever, Scamman, Waterhouse.

STRAFFORD COUNTY: Chase of Dover, Stackpole, Karkavelas, Marcotte of Dover, Shaheen, Fellows, Carroll, Crandall, Locke of Dover, Flanagan, Parker, Smith of New Durham, Rolfe, LaCasse, St. Pierre, Leach, Brown of Strafford.

BELKNAP COUNTY: Hart of Laconia, Keller, O'Shan, Ransom, Smith of Meredith,

CARROLL COUNTY: Downs, Morey, Moulton, Hart of Wolfeboro, McHugh.

MERRIMACK COUNTY: Baron of Allenstown, Dodge, Hurd, Corbett, Saltmarsh, Brunel, Freeman of Concord, Greene of Concord, Blodgett of Concord, Ward 8, Nawn, Towle, Chase of Franklin, Burke, Charland, Mason, DuDevoir, Lamson, Lea, Payeur, Young, Chandler.

And the motion to substitute the words, ought to pass, for the resolution of the committee, inexpedient to legislate, did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Reconsideration

Mr. Jones of Lebanon moved that the vote whereby the House voted as inexpedient to legislate House Bill No. 105, be reconsidered.

On a *viva voce* vote the motion to reconsider did not prevail.

Personal Privilege

Mr. Bass of Peterborough rose to a point of personal privilege and explained his reasons why he did not vote on the roll call on House Bill No. 105.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 323, An act relative to clerk hire in the offices of registers of probate.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relative to clerk hire in the offices of registers of probate.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Registers of Probate.* Amend section 22 of chapter 347 of the Revised Laws as amended by chapters 63 and 125 of the Laws of 1943 and chapter 27 of the Laws of 1945 by striking out said section and inserting in place thereof the following: 22. *Clerk Hire.* Registers of probate shall be allowed annually for clerk hire, payable monthly by the county,

such sums as may be authorized by the county convention. In the following counties the minimum to be allowed for clerk hire shall be as follows:

In Rockingham county, one thousand three hundred dollars.

In Strafford county, five hundred dollars.

In Merrimack county, one thousand dollars.

In Hillsborough county, three thousand seven hundred forty dollars.

In Cheshire county, five hundred dollars.

In Sullivan county, five hundred dollars.

In Grafton county, one thousand dollars.

In Coos county, one hundred fifty dollars.

On motion of Mr. McMeekin of Haverhill the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled joint resolution sent up from the House of Representatives:

House Joint Resolution No. 39, Joint resolution for the celebration of John Stark Day on August 9, 1952.

The message also announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 284, An act relating to trespassing on posted land.

Resolutions

Mr. Sanborn of Wakefield offered the following resolution:

Resolved, That for the remainder of this legislative session, no member shall speak more than five minutes on any one subject.

The question being on the resolution.

(Discussion ensued)

Messrs. Sanborn of Wakefield and Pickett of Keene spoke in favor of the motion.

Messrs. Geisel of Manchester, Chandler of Warner, Kennedy of Manchester, Lea of Pembroke, Wadleigh of Milford and Mrs. Cooper of Nashua spoke against the motion.

Mr. McMeekin of Haverhill moved that the resolution be laid upon the table.

On a *viva voce* vote the resolution was laid upon the table.

Suspension of Rules

Mr. O'Neil of Concord moved that the rules be suspended to allow the introduction of a bill.

The question being on the motion.

(Discussion ensued)

Messrs. O'Neil, Bunton and Sawyer, Mrs. Greene of Concord, Chandler of Warner, Pickett of Keene and Mrs. Dondero of Portsmouth spoke in favor of the motion.

Messrs. Sanborn of Wakefield, Corbett, Perkins and Tilton of Concord, Wadleigh of Milford and Bass of Peterborough spoke against the motion.

Mr. Means of Milan moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to suspend the rules to allow the introduction of a bill.

On a *viva voce* vote the motion prevailed.

Introduction of Bill

By suspension of rules, House Bill No. 452, An act to revise the city charter of the city of Concord.

Read a first and second time, and referred to a special committee consisting of the delegation of the city of Concord.

Vote Recorded

Mr. Lindahl of Deerfield rose to a point of personal privilege and stated that he was absent when the roll was called on House Bill No. 105, and desired to be recorded as voting No on the question.

Mrs. Saltmarsh of Concord changed her vote from No to Yes on House Bill No. 105.

Resolution

Mr. Ashley of Lebanon offered the following resolution:

Whereas, The people of the community of Claremont have by their collective efforts constructed a large outdoor swimming pool for the use of its citizens in the interest of physical development and recreation, and

Whereas, This has been acomplished on a volunteer labor and non-profit basis, and

Whereas, The project's completion is to be celebrated this year with an old fashioned Fourth of July celebration at Claremont and

Whereas, The House does recognize this continued interest in fostering independence and display of old fashioned zeal and initiative, and

Whereas, This swimming pool is to be named The John McLane Clark Veterans Memorial Pool, therefore be it

Resolved, That the House highly commends the people of the community of Claremont and wishes them every success in their celebration of our National Independence Day.

On a *viva voce* vote the resolution was adopted.

Mrs. St. Pierre of Rochester offered the following resolution:

Whereas, the member from Rochester, Mrs. Norma M. Studley, is celebrating her twenty-sixth wedding anniversary today, June 27th, therefore be it

Resolved, That the House of Representatives extend to the member from Rochester our best wishes on this anniversary date with the hope that she will enjoy many similar anniversaries in the future, and be it further

Resolved, That the Clerk of the House transmit to Mrs. Studley a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford, the rules were suspended, business in order at 3:00 o'clock was made in order at the present time and the third reading of a bill was made in order, by its title, at the present time.

Third Reading

Senate Bill No. 84, An act to restrict the cutting or gathering of seaweed, rockweed and sea moss.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Studley of Rochester at 1:20 o'clock the House adjourned.

THURSDAY, JUNE 28, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O Thou God of love and mercy, in these days when we hear rumors of peace among the warring nations of the world; we most heartily pray that Thou wilt deliver Thy children from the cruelties of further war and lead all nations into the way of peace. Teach us to put away all bitterness and misunderstanding; give to the United Nations and to the enemy with which it is engaged a sincere desire to bring this conflict to an amicable and permanent solution, that we, with all the brethren of the Son of Man, may draw together in a universal brotherhood and dwell evermore in that fellowship of the Prince of Peace Who liveth and reigneth now and ever. Amen.

Address by Governor

His Excellency, the Governor, addressed the House regarding tax program.

The financial chips are down.

This can hardly be called a joyful occasion. Facing financial difficulties is no fun for anybody. However, I came in here this morning because I felt it my duty. I think if you were in my place you would feel the same way about it.

Recommending the passage of a measure, in person, and with the maximum force of argument, is not an ordinary duty. In fact, it is decidedly an extraordinary one. Putting yourself squarely on record before a legislative body, with a speech, is about the maximum effort which a Governor can make. If I

did not feel this were an important occasion I should not be here.

You were elected to do the things that in your opinion best benefit New Hampshire. The same goes for myself. Passing tax bills is not a duty which either of us likes. In fact, levying taxes for most New Hampshire people is about as tough an assignment as confronts the Legislature.

We are all people of reasonably modest means. Fundamentally, we are as conscientious about spending public money as we are our own. In fact, it is even more difficult sometimes to assess taxes and to spend income because all of us know that for the most part we are using somebody else's money.

For all practical purposes we now know how much you think the State ought to spend for its services. Your committee has spent weeks in hearing the evidence. You are confronted with a budget of almost $30 million for the biennium. The minds of your members are made up that these funds are necessary to the operation of your government. As you know, I made reductions amounting to almost $4,000,000 before the budget was turned over to you. The net result of all this work is that we have made up our collective mind that $29,800,000 is the amount which the State must raise to carry out its obligations. Largely, that is your decision but in it I concur.

There are two matters on which the House has not yet acted. It can be assumed that the House will do the right thing by our workers. This means another six to seven hundred thousand dollars. Another item of unfinished business is the matter of three hundred thousand dollars which the University of New Hampshire needs to maintain the level of its work. How are you going to avoid these obligations?

The sum and substance of all this is that this morning we face a deficit of about $5,500,000 for this biennium. This is with full consideration of the maximum amounts we dare to expect to take in from our present revenues.

Your consideration of the budget, for the most part, has been realistic and well advised. We have been over together pretty carefully all of these various expenditures. You know what they are and why they are.

No, the decision will not be unanimous. Some of you think the State spends too much money. Some of you think we ought to do a better job. Some of you say we ought to get down to

brass tacks in practicing economy. A few of you think we could even get along on what we are taking in if we really wanted to.

If this were so, I say that nothing would give me any more relief. Most of you will well remember that there were revenue bills recommended to you two years ago. The need was based on what appeared to be the dead certainty of inflation and corresponding inadequate income for the government's support. You decided to reduce our services largely by almost complete elimination of State Aid to Education. The effect upon overburdened property taxpayers is well-known to most of you.

Some say that government is trying to do too much. The case is made that we are creating services beyond the capacity of people to pay for them. Sometimes we hear that in attempting to ease the economic distress of our communities we are simply trying to raise ourselves by our own financial bootstraps. Those people say we have too much government.

Whatever we have, you created. Year after year you have added to these public responsibilities. You did it because you thought it was the thing to do. Practically every other government was doing it. Along came liberal minimum wage laws, workmen's compensation laws, welfare programs, progressive institutional services, and so on. When these got started they could not be stopped. Furthermore, they are not going to be. These trends are never reversed. When you commence to retrench you find public sentiment is overwhelmingly against you.

Recently when you attempted to cut down the recreation program you found that people in the localities where parks were located rebelled. You found that public sentiment throughout the State was against rigid economy in that direction. It is just about so in anything else we do. You cannot have a well-developed system of parks and playgrounds, nor a progressive program in the variety of fields of government and stick rigidly to the "get along without" policy.

You are the boss. What you say goes. You can, if you wish, back down again on school aid. You can, if you wish, throw back the State Aid Program onto the backs of property taxpayers; you can cut down the level of your excellent State University; and now, even with the tangible promise of

financial help of the hotel industry itself, you can nevertheless abolish the promotion program of your State Planning and Development Commission; you can, if you wish, reduce grants in aid to the aged and to dependent children. In short, you can reduce the capacity of your State to do all of the things that you, through your majority vote, have ordered done. Then, if you like, you can go home, but you would not be fulfilling your oath in office which was to discharge your duties as a representative with the best interests of your State uppermost in your decisions.

Now, let's be very frank with each other. Many of you have said that we ought to get better results with the money which is appropriated. Let me say that we have tried to do just that. I not only have tried to do it myself but have made an earnest effort to get other people to do it. Most of us have been getting up in the morning with the intention of doing a fair day's work and having something to show for our efforts. Most of the State workers understand what a fair day's work means. Most of them understand that their wages come from taxes on the people. We ought to get over the notion that there are any great number who eat breakfast in the middle of the morning, or arrange our hours of service to suit our personal convenience. Most of us work at jobs that amount to something. There are not too many of us who loaf on the job, or whose position is unnecessary. Yet there are some of these in State service. Anyway, we can honestly report that we have been able to make a marked improvement, although just as long as we believe in and preserve representative government we will never have an organization that performs with perfection. What we all try to do is a little better every day.

I have no pride of authoriship, as such, with the so-called revenue plan which I submitted some months ago. Yet it can be truthfully said that there are a good many well-informed and able people who agreed that this plan, as a whole, had more elements of fairness and workability to any others that have been suggested, as contained in House Bill No. 418.

One thing must be clear to everybody who agrees that more income must be found. That is the fact that we must get a majority of you to vote for some particular bill. If we do not do this we have done nothing.

Some of you are for more exemptions to the sales tax; some of you favor a head tax; some of you prefer raising liquor prices; some of you prefer an income tax. Out of all these suggestions must come a bill that you will vote for. That means that perhaps the majority of you will have to give some ground. I realize that in asking you to vote for House Bill No. 418 I am not giving much ground myself. I think I have to point out, however, that the reasons that I shall later give for the support of this measure seem to me to compel the conclusion that if you will go along with this measure, and the opinions of those who have worked hardest, studied longest, and lived closest to this problem, I have said again and again that this measure is the best single answer to New Hampshire needs and interests that you will have a chance to vote for.

Most of you were of the opinion that it was my duty to recommend a way out of our difficulties. This I have done. But such a recommendation would be of little value unless I can convince you that you ought to vote for the proposal which has been submitted to you.

First off, some of the other possibilities you have already rejected. Some of those to which I referred as a part of the patchwork pattern you have not adopted. Other suggestions (which I did not recommend) are of doubtful constitutionality. In my opinion the tax on the person, which most of you refer to as the head tax, is about the unfairest a means of raising State revenue as could be devised. In the first place, such revenue traditionally belongs to the towns and cities.

Second, it would be about as logical to take the total amount of money needed to support your State and divide it between a number of people and send each person a bill for his proportionate share. This is just as complete abandonment of the principle of ability to pay as could be adopted. When you pay an income tax you pay on what you earn; when you pay a sales tax you pay on what you buy. In the first instance, the more you earn the more taxes you pay. In the second, the more money you have to spend the more tax you contribute.

Everybody who knows anything about taxes in New Hampshire knows that the only thing we have now is a makeshift system. If you do not correct it now, the problem will be before you two years from now. You have it to deal with today because it was not seen to two years ago. You are going

through this same procedure until you dispose of the matter. The session this year has cost double what it would have cost the people of New Hampshire had the tax question been faced two years ago. You will continue to throw good money after bad just as long as you temporize with this problem.

The obstacles to the passage of House Bill No. 418 are not unusual in the normal consideration of tax legislation. The activity of well-paid and well-heeled lobbyists who have been trying to get you to follow their judgment, instead of your own, is similar to that used in practically every important and worthwhile fiscal measure that has ever been considered in this General Court. In other years their work has been beaten down just as it will be beaten down today. It was only a few years ago that the tobacco tax measure came to this floor. Your predecessors were told that it would ruin New Hampshire retail trade. The lobbyists said it would drive retailers out of business. The same arguments are being used today. Judging by the experience in other states, their arguments are as wrong today as they were wrong on the tobacco tax in 1939.

Let us look at the experience of two New England sales tax states, Connecticut and Rhode Island. Connecticut, by all admission, has been the most progressive and rapidly expanding industrial state in the northeast in the last twenty-five years. It is one of the standouts in the nation. Remember their slogan, "Put your business in a state of success." The little state of Rhode Island is the most densely populated state in the nation. There is no other region so highly industrialized or so dependent upon the pay envelope for its prosperity. Under the administration of the other Party, those responsible for adopting the sales tax in Rhode Island have said that it was the most constructive piece of legislation adopted in that state in modern times. Where were the witnesses on this question?

Who appeared to say that the little man in Rhode Island or Connecticut had been hurt or the industrial prosperity reduced? Where were the witnesses to support the argument that retail business had been taken out of little Rhode Island or Connecticut into Massachusetts or New York? The records of retail store sales do not show it.

What is there so unique and strange about the economy of New Hampshire that we should have neither a broad base

income or sales tax? Are we so different from thirty-one of the forty-eight states which have already adopted the sales tax as the soundest and most reliable source of revenue for assisting their government? Can the people of two-thirds of the states of the Union, who have found that the sales tax is equitable, easy to administer, and dependable—can they all be wrong? Do you think that this handful of paid opponents who have been lecturing you in the corridors and in the cloakrooms, for many times the pay you are earning—do you think they are right and the people in thirty-one states of this nation are wrong?

Now, what about the tax on the average family? A good many of the taxes which we have levied, those on racing, gasoline, alcoholic beverages, have been paid not by New Hampshire people at all but by legions of people throughout the nation who come here and who love New Hampshire as much as we do. Based on records, we know that 20% of the income from our sales tax will be paid by out-of-state people. The average tax per family would be something like $25.00 a year. My prediction is that it will be even less than this. Is this an unbearable family burden? To most anybody, any tax is fair provided they do not have to pay it. Yet this is not a difficult tax for anyone to pay. Many have rightfully said that the insidious thing about most taxes is that they are concealed in the bill that you pay. We do not realize that much of the price that is paid for many articles is in the form of concealed taxes. The sales tax is out in the open. People are going to know about it.

Its cost of administration is nominal. The Tax Commission estimates only about $145,000 a year necessary to collect $4½ millions of sales tax income. It costs us about $150,000 to collect $2,600,000 of tobacco revenue, and $970,000 to collect $4,000,000 of liquor revenue. By every comparison, the cost of the collection of the sales tax is much less.

Much has been said and written about the stock-in-trade tax. Some of us in the State have been working earnestly against shrinkage in industrial job opportunities. Every Tax Commission, for twenty years, which I know anything about has called the stock-in-trade tax inequitable, impossible to fairly assess, unfairly competitive, and definitely damaging to industrial employment. In commencing to abolish this tax

here is another opportunity really to render important service to the State and the working men and women in New Hampshire. Many of you believe this tax should be entirely abolished now. If you can discover the ways and means, so much the better. New Hampshire, with its handicap of location, cannot hope to compete in inducing small business enterprises to come to stay here with tax millstones such as this. We have been working hard to promote industrial expansion. We need more help. One of the ways is to reduce the stock-in-trade tax. Eliminating the tax on finished products is admittedly only one step in that direction. Yet it is a step which deserves to be taken.

Some time ago I spoke to the members of the House belonging to my party, about the effect of adopting a measure such as this upon our political fortunes. Some people think passing a sales tax is political suicide. Some of you have been wondering about whether you are going to get elected again. Let me say to the people in my Party that your Democrat colleagues have thrived remarkably well on sales tax fare. In twenty-eight of the thirty-one states which adopted sales taxes, the Democrats were in power. Much to our regret, they have gone on being returned to office again and again. Of course the most signal example of the political effect of taxing people was seen in the comparative ease with which the President of the United States was re-elected. When everybody counted him out, there he was, back in the White House.

Now, just what kind of poor relations are we? Are we going to admit that we are unable to support a decent standard of government here in New Hampshire when every single New England state, except our own, has now adopted a broad base tax? Are we going to hobble along with our financial crutches and canes when the people of practically every other state in the Union have found what for them has been the only logical practical answer? Among these are eighteen states with a smaller per capita income than we have, and every one of them has a broad base tax. Even though the average income of their people was less than ours, they recognized the need of revenue and that a sales tax was the most feasible means of raising it. In most of these states which adopted the sales tax their progress, industrially and otherwise, has increased at a greater rate than has New Hampshire's, without a sales tax.

Is this sales tax really unjust to the laboring man whose family depends upon his pay envelope? Most of the people of the country have not thought so, nor has it proved so. The common laborer who earns a dollar an hour, and who works the standard forty hours a week, will pay, according to most careful estimates, only about $12.80 a year through the 1% sales levy. Is this too much to ask any family to pay in support of its State government? Are not the working people of New Hampshire those who need most, and appreciate most, the State services which are rendered? The greater number of them were not designed particularly to help the wealthy. They are the ordinary man's services.

To those who charge that our people are too poor to pay a 1% sales tax, may I reply—it is those of lower incomes who will suffer most if we here in this Legislature *fail* to pass House Bill No. 418, and once again delay putting our fiscal house in order.

It is not the rich who will suffer if we abolish State aid to public schools.

It is the poor who will benefit if we vote sufficient to pay adequate grants for food and clothing to those getting State relief.

It is not the rich who make up the bulk of our State employees, and who will be helped by higher State employee salaries.

It is the poor who would suffer most severely if they were denied decent care at the State Hospital and the Laconia State School.

It is the workers in our factories, not the rich, who are being helped most by the mobile x-ray units now locating incipient cases of T. B. and who are going to Pembroke and Glencliff for treatment.

As surely as you and I sit here today, it will be the poor, and not the rich, who will suffer if we once again go home, passing the buck to future days and other legislatures.

It has been said, so many, many times, that nothing under the sun stands still. New Hampshire cannot stand still. We either move along with fresh, progressive accomplishment or we slip back. In my humble opinion, whether New Hampshire slips back in the years that are directly ahead of us will depend upon how you help her to keep her head above water, and

with what determination you decide to continue to do the work that is worthwhile. It is my earnest conviction that you are not going to be found wanting. In my ten years of political service, from a member of this House to the Governor of your state, I have rarely asked the people in the General Court to accept my judgment. Again, none of us are infallible. Yet I would do less than the full task which I think most of you expect of me this morning if I did not lay this proposition on the line, with the full force of my conviction that this is the most important vote you will cast in your legislative service. Some day you will look back upon it and appreciate, I think, the character and extent of the decision which is yours to make this morning.

So far as my mission here with you is concerned, I close these observations in the firm belief that your adoption of the principles and the legislation which are put before you on this day will have for generations a sustaining beneficial effect upon the whole economy and atmosphere of New Hampshire. In my humble judgment, your acceptance of House Bill No. 418 will characterize your ability to understand the needs of your state and its people.

Committee Reports

Mr. Cummings of Lyndeborough moved that the House first consider House Bill No. 419.

The question being on the motion of Mr. Cummings of Lyndeborough.

(Discussion ensued)

Messrs. Pillsbury and Kennedy of Manchester and Lea of Pembroke spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Malley of Somersworth, for the Committee on Ways and Means, to whom was referred House Bill No. 418, An act repealing certain taxes and providing for additional revenue of the state, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend paragraph IV of section 1 of chapter 79B of the Revised Laws as inserted by section 6 of the bill by inserting after the word "barter" in the first line the words, of tangible

personal property, so that said paragraph as amended shall read as follows: IV. "Sale" means any transfer, exchange, or barter of tangible personal property, in any manner or by any means whatsoever, for a consideration in the regular course of business and includes leases and contracts payable by rental or license fees for the right of possession and use.

Amend section 2 of said Chapter 79B as inserted by said section 6 by striking out said section and inserting in place thereof the following: 2. *Sales Tax.* A tax is hereby imposed at the rate of one per cent of the value of all tangible personal property excepting tobacco products, beverages, as defined in chapter 170 of the Revised Laws as amended, except when consumed on the premises, publications issued at intervals of three months or less, gasoline and motor fuels upon which a tax or road toll is now imposed by the state, sold at retail in this state on and after the first day of the fourth month after the passage of this act, measured by the sale price, except (1) to non-profit charitable, religious and educational institutions, located and incorporated in this state, (2) to the state or political subdivisions thereof, (3) to the federal government or any agency thereof, and (4) as otherwise herein provided. Retailers shall pay such tax at the time and in the manner hereinafter provided, and it shall be in addition to all other taxes. Provided further that any tax payable upon sales of gasoline and motor fuels not used by vehicles on the highways shall be deducted from any rebate sought by a purchaser.

Amend section 7 of said Chapter 79B as inserted by said section 6 by striking out said section and inserting in place thereof the following: 7. *Presumption Concerning Sales.* The burden of proof that the sale was not a sale at retail shall be upon the person who makes the sale and the purchaser, unless the person who makes the sale takes from the purchaser a certificate that the purchase was for resale or further manufacture.

Amend section 29 of said chapter 79B as inserted by said section 6 by striking out said section and inserting in place thereof the following: 29. *Appeal.* From the decision upon such petition, an aggrieved petitioner may appeal to the superior court in any county where he has a regular place of business for making sales, or, if he has no such place of business within the state, to the superior court in Merrimack

County. But no such appeal shall be entered in any court after the lapse of ninety days from the day the commission gives notice of its decision on the petition for reassessment, unless the court finds that leave should be granted because of accident, mistake or misfortune.

Amend section 35 of said Chapter 79B as inserted by said section 6 by striking out said section and inserting in place thereof the following: 35. *Funds Received.* All sums due under the terms of this chapter to and including December 31, 1951 shall go into the general funds of the state when received. Thereafter, commencing on January 1, 1952, the state treasurer shall credit all revenue received hereunder to a tax distribution fund from which he shall make quarterly payments as follows: (1) to the towns and cities, one-quarter of the total amounts certified under the following section, and (2) the balance to go into the general funds of the state.

The minority of the Committee on Ways and Means, to whom was referred House Bill No. 418, An act repealing certain taxes and providing for additional revenue of the state, and being unable to agree with the majority, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

DENIS F. CASEY,
JOHN J. KEARNS,
ERWIN E. CUMMINGS,
SHIRLEY BRUNEL,
L. B. PEEVER,
ELMER H. DOWNS,
A minority of the Committee.

The reports were accepted.

Mr. Casey of Manchester moved that the report of the minority, inexpedient to legislate, be substituted for the report of the majority, ought to pass with amendment.

The question being on the motion to substitute.

(Discussion ensued)

Mr. Pickett of Keene spoke in favor of the motion.

Mr. Bass of Peterborough spoke against the motion.

Mrs. Dondero of Portsmouth moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Mesdames Dondero of Portsmouth, Cooper of Nashua, Saltmarsh of Concord and Messrs. Geisel of Manchester, Baron of Claremont, Wadleigh of Milford, Janelle of Nashua, Kennedy of Manchester and Martel of Manchester spoke in favor of the motion.

Mesdames Atkins of Hanover, Richards of Exeter and Messrs. Barney of Rumney, Christopher of Northumberlind and Brown of Laconia spoke against the motion.

(Mr. Perkins of Concord in the Chair)

Messrs. Perkins of Alton, Pelletier of Nashua and Daniels of Manchester spoke against the motion.

(The Speaker in the Chair)

Messrs. Payeur of Pembroke, Wilson of Antrim, Underhill of Nashua, Betley of Manchester, Lea of Pembroke, Turner of Keene, Healy of Ward 6, Manchester, Pickett of Keene, Jones of Lebanon and Mrs. Millar of Claremont spoke in favor of the motion.

Messrs. Plumer of Bristol, Clarke of Canaan, Rathbun of Harrisville, Pillsbury of Manchester and Sanborn of Wakefield spoke against the motion.

Mr. Bell of Plymouth moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

Mr. Willey of Campton demanded the yeas and nays and the roll was called with the following result:

Yeas, 240

GRAFTON COUNTY: Gingras, Avery, Lorden, Williams, McMeekin, Ashley of Lebanon, Cole, Jones, Randall, Gardner, Pushee, Burrill, Howard, Horner, Anderson, Gilbert, Sawyer of Woodstock.

COOS COUNTY: Dussault, Hinchey, Moffett, Shields, Desilets, Henderson of Berlin, Sheridan, Sullivan of Berlin, Bouchard, Laforce, Roy of Berlin, Gould, Oakes, Fraser, Means, Hilliard, Placy, Stinson.

ROCKINGHAM COUNTY: Wastcoat, Lindahl, Clark of Derry, Cushing, Gay, Hepworth, Fecteau, Eldredge, Putnam,

Merrill, Ring, Thurlow, Eastman, Hall of Londonderry, Sheehy, Holden of Newington, Labranche of Newmarket, Carter of No. Hampton, Pinkham, Dondero, Durell, Dame, Leary, Smart, Ingraham of Portsmouth, Haigh, Durkee, Waterhouse.

STRAFFORD COUNTY: Stackpole, Marcotte of Dover, Shaheen, Felker, Carroll, Flanagan, Blanchard, Parker, Caldwell, Horne, Dustin, Maxfield, Winters, Lacasse, St. Pierre, Green of Rollinsford, Lagueux, Letourneau, Cater of Somersworth, Malley.

BELKNAP COUNTY: Perkins of Alton, McAllister, Boutin, Osborne, Simoneau, Tilton of Laconia, Ward 3, Keller, Tilton of Laconia, Ward 4, O'Shan, Thompson of Laconia, Matthews, Metcalf.

CARROLL COUNTY: Washburn, Benson, Downs, Hill, Lamprey, Hodgdon.

MERRIMACK COUNTY: Baron of Allenstown, Putney, Moore, Marden, Dodge, Ferrin, Kennedy of Concord, O'Neil of Concord, Saltmarsh, Bunten, Blodgett of Concord, Ward 8, Nawn, Sawyer of Concord, Hadley, Burke, Ayotte, Charland, Maxwell, Mason, Beale, DuDevoir, Smith of Loudon, Milligan, Lamson, Wilman, Lea, Payeur, Ferguson, Young, Chandler.

HILLSBOROUGH COUNTY: Holmes, French of Bedford, Farwell, Hambleton, Poore, Reed, Crosby, Sterling, Abbott, Cummings of Lyndeborough, Corliss, Kennedy of Manchester, Danforth, Geisel, Connor, Dwyer, Martel, Sweeney, Fitzgerald, Kean, Nolan, Betley, Ellis, Healy of Manchester, Ward 5, Kazakis, Proulx, Shea of Manchester, Casey, Cavanaugh, Clancy, Ecker, Healy of Manchester, Ward 6, Zyla, Downey, Marcoux, Sullivan of Manchester, Delisle, Kane, Cary, Gagnon, Auger, Getz, Roche, Roukey, Lareau, Soucy, Vaillancourt, Daniel, Gauthier, Thibodeau, Cannon, Donnelly, Wedick, Peaslee, Falcorner, Wadleigh, Cooper, Ramsdell, Boire, Record, Belcourt, Maynard of Nashua, Ward 3, Brosnahan, Cote, Marquis, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Chartrain, Dupont, Ryan, Grandmaison, Janelle, Pelletier of Nashua, Ward 8, Bouthillier, Pelletier of Nashua, Ward 9, Mailloux, French of Weare, Barry.

CHESHIRE COUNTY: Burnham, Maloney, Walker, O'Neil of Keene, Landers, Erwin, Codding, Turner, Pickett, Walsh, Worcester, Lang, Aylward, Rhodes, Thompson of Windchester.

SULLIVAN COUNTY: Angus, Converse, Bissonnett, Millar of Claremont, Nahil, Baron of Claremont, Carton, Marcotte of Claremont, Bailey, Rowell, Vaughan, Pierce, Gamsby, Callum.

Nays, 115

GRAFTON COUNTY: Chamberlin of Bath, Plumer, Willey, Clarke of Canaan, Grass, Atkins, Fuller, Holden of Hanover, Adams, Collins of Lisbon, Kelley, Martin of Littleton, Skinner, Bell, Huckins, Barney, Woodward.

COOS COUNTY: Rines, Cummings of Colebrook, Emerson, Kimball, Evans, Simonds, Christopher, Ellingwood, Taylor.

ROCKINGHAM COUNTY: Tuttle, Griffin of Auburn, Hazelton, Darbe, Freeman of East Kingston, Kendall, Rathbone of Exeter, Richards, Lecomte, Bonney, McNeil, McCaffery, McDaniel, Colcord, Sukeforth, Foote, Yeaton, Bluitte, Philbrick, Scamman.

STRAFFORD COUNTY: Swain, Chase of Dover, Karkavelas, Fellows, Crandall, Locke of Dover, Henderson of Durham, Smith of New Durham, Studley, Fernald, Leach, Brown of Strafford.

BELKNAP COUNTY: Weeks, Hart of Laconia, Brown of Laconia, Ransom, Smith of Meredith, Atwood.

CARROLL COUNTY: Morey, Nickerson, Knox, Remick, Sanborn, Hart of Wolfeboro, McHugh.

MERRIMACK COUNTY: Ellsworth, Nicoll, Vogel, Tebbetts, Tobey, Perkins of Concord, Tilton of Concord, Sargent, Chase of Franklin, Davis of Hopkinton, Powell, Sawyer of Wilmot.

HILLSBOROUGH COUNTY: Wilson, Black, Doonan, English, Goodwin, Spaulding of Hudson, Pillsbury, Nelson, Underhill, Locke of New Boston, Ashley of New Ipswich, Bass, Cummings of Peterborough, Hines.

CHESHIRE COUNTY: Dort, Jackson, Miller of Fitzwilliam, Rathbun of Harrisville, Perry of Jaffrey, Spofford, Kirk, Wheeler, Bennett, Sherwin, Kershaw, Billings, Ingham of Winchester.

SULLIVAN COUNTY: Bascom, Frizzell, Brooks, Carter of Cornish, Perry of Newport.

Pairs

Mr. Harrington of Bethlehem voting no, paired with Mrs. Brungot voting yes.

Mr. Chamberlin of Haverhill voting no, paired with Mr. Sleeper of Haverhill voting yes.

Mr. Griffin of Lincoln voting no, paired with Mrs. Fontaine of Berlin voting yes.

Mr. Hamilton of Lisbon voting no, paired with Mrs. Peever of Salem voting yes.

Mr. Malloy of Gorham voting no, paired with Mr. Constant of Manchester voting yes.

Mr. Libby of Brentwood voting yes, paired with Mr. Freeman of Concord voting no.

Mr. Wells of Newton voting no, paired with Mr. Spalding of Nashua voting yes.

Mr. Moulton of Ossipee voting no, paired with Mr. Kearns of Manchester voting yes.

Mr. Hurd of Concord voting no, paired with Mr. Corbett of Concord voting yes.

Mr. Brunel of Concord voting yes, paired with Mrs. Greene of Concord voting no.

Mr. Towle of Epsom voting no, paired with Mr. Pettigrew of Manchester voting yes.

And the bill was indefinitely postponed.

Mr. Malley of Somersworth, for the Committee on Ways and Means, to whom was referred House Bill No. 419, An act to increase certain revenues, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An act relating to the discount rate for purchase of tabacco tax stamps.

Amend the bill by striking out sections 1, 3, 4, 5, 6, 7, 8, and 9.

Further amend the bill by renumbering section 2 to read section 1 and section 10 to read section 2.

The report was accepted.

Mr. Jones of Lebanon moved that the bill, with the amendment pending, be laid upon the table.

On a *viva voce* vote the bill, with the amendment pending, was laid upon the table.

Taken from the Table

House Bill No. 308, An act relating to investments of trust funds of the industrial school and cemetery corporation.

The question being on the amendment as printed in the Journal on pages 7, 8 and 9 of June 26.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had passed bills, with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 101, An act providing for a supplemental appropriation for the expenses of the legislature.

Senate Bill No. 99, An act relating to payment of dividends in credit unions.

Senate Bills Read and Referred

Senate Bill No. 101, An act providing for a supplemental appropriation for the expenses of the legislature.

Read a first and second time and referred to the Committee on Appropriations.

Mr. Sanborn of Wakefield moved that the rules be suspended and reference to a committee be dispensed with and that Senate Bill No. 101 be put upon its third reading, by title, and final passage at the present time.

The question being on the motion of Mr. Sanborn.

(Discussion ensued)

Mr. Sanborn of Wakefield spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

Senate Bill No. 101 was read a third time and passed and sent to the Secretary of State to be engrossed.

Senate Bill No. 99, An act relating to payment of dividends in credit unions.

Read a first and second time and referred to the Committee on Banks.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives.

House Bill No. 411, An act relating to inspectors in the department of labor.

House Bill No. 450, An act making temporary appropriations for the expenses of the state of New Hampshire for the month of July, 1951.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 415, An act to abolish costs in criminal cases.

Amend section 1 of said bill by inserting before the word "court" in the sixth line the word, superior, so that said section as amended shall read as follows:

1. *Costs.* The assessment of any costs against respondents in criminal cases is hereby forbidden and all laws whether or not specifically designated hereinafter are hereby repealed insofar as they assess costs against respondents in criminal cases; provided however, that costs involving transportation of prisoners up to the time of court arraignment may be assessed against respondents, in the discretion of the superior court.

On motion of Mr. Perkins of Concord the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had voted to non concur with the House of Representatives in the pas-

sage of the following entitled bills sent up from the House of Representatives.

House Bill No. 319, An act relative to oaths under absentee voting procedure.

House Bill No. 204 (in new draft and with new title), An act to encourage competent practicing dentists to enter practice in this state, and to secure adequate number of dentists engaged in the practice of dentistry in this state, and to regulate the practice of dentistry.

On motion of Mr. Wadleigh of Milford the House adjourned from the morning session.

The House was immediately called to order in the afternoon session.

Afternoon

Mr. Wadleigh of Milford moved that the third reading of a bill be read by its title only.

On a *viva voce* vote the motion prevailed.

Third Reading

House Bill No. 308, An act relating to investments of trust funds of the industrial school and cemetery corporation.

On motion of Mrs. Weeks of Gilford at 4:30 o'clock the House adjourned.

TUESDAY, JULY 3, 1951

The House came to order in pursuance of adjournment of last Thursday, June 28th.

The Clerk read a communication from the Speaker.

MR. GEORGE L. HURD
Representative, Ward 5
Concord, N. H.

DEAR SIR:

I shall be unable to attend the session on Tuesday morning, July 3rd. Will you kindly preside for me and oblige.

Yours respectfully,
LANE DWINELL,
Speaker.

There being no quorum present on motion of Mr. Kennedy of Concord, the House adjourned until Friday, July 6th, at 11:00 A. M.

FRIDAY, JULY 6, 1951

The House came to order in pursuance of adjournment of last Tuesday, July 3rd.

The Clerk read a communication from the Speaker.

MRS. MARJORIE M. GREENE
Concord, N. H.

I shall be unable to attend the session on Friday morning July 6th. Will you kindly preside for me and oblige.

Yours respectfully,

LANE DWINELL,
Speaker.

There being no quorum present on motion of Mr. Kennedy of Concord, the House adjourned until Tuesday, July 10th, at 11:00 A. M.

TUESDAY, JULY 10, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

Almighty God, Ruler of Nations and of all mankind, we humbly bow before Thy throne this day and implore Thy guiding Spirit upon those who at this time are endeavoring to find the way to peace among the warring nations of the world. Enlighten the minds of those who gather around the council table, and stir their wills into action. Give to them, and to all mankind, a new vision of the oneness of the world which Thou has made. We earnestly beseech Thee, O God, to prosper every effort that is being made, or shall be made, to stop this bloodshed and bring our soldiers and sailors, our airmen and nurses, and all enlisted in the service of our country, safely home. Through Jesus Christ, our Lord. Amen.

Leaves of Absence

Mr. McMeekin of Haverhill was granted leave of absence for the day on account of important business.

Mr. Bennett of Keene was granted leave of absence for the day on account of attending a funeral.

Mr. Bass of Peterborough was granted leave of absence for Tuesday and Wednesday on account of illness.

Mr. Chase of Dover was granted leave of absence for the week on account of important business.

Mr. Green of Rollinsford was granted leave of absence for two weeks on account of important business.

Mr. Henderson of Durham was granted leave of absence until further notice on account of illness.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules, House Bill No. 453, An act relative to membership of the judicial council, duties of clerks of the Senate and House of Representatives, naming of certain bridges over the Blue Star Memorial Highway and Baer Pond, and relative to the children's study home. Referred to the Committee on Judiciary.

By the Committee on Rules, House Bill No. 454, An act relative to First Baptist Society in Hampton, New Hampton Literary and Biblical Institution, Nashua Building and Loan or Cooperative Bank, Rye Water District, Amherst Water Works, and legalizing certain meetings of the towns of Antrim, Lyman, New Durham, Wakefield and Wilmot, and school district meetings in Harrisville, Hillsborough and Lebanon. Referred to the Committee on Executive Departments and Administration.

Engrossed Bills Report

Mrs. Holmes of Amherst, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 410, An act relative to aeronautical appropriations.

House Bill No. 415, An act to abolish costs in criminal cases.

House Bill No. 443, An act extending the appropriation for the so-called children's study home.

House Bill No. 450, An act making temporary appropria-

tions for the expenses of the state of New Hampshire for the month of July, 1951.

Senate Bill No. 101, An act providing for a supplemental appropriation for the expense of the legislature.

House Bill No. 323, An act relative to clerk hire in the offices of registers of probate.

House Bill No. 361, An act relative to indemnity for condemned domestic animals.

House Bill No. 411, An act relating to inspectors in the department of labor.

House Bill No. 417, An act creating the New Hampshire Business Development Corporation.

House Joint Resolution No. 30, Joint resolution in favor of the town of Auburn.

House Joint Resolution No. 39, Joint resolution for the celebration of John Stark Day on August 9, 1952.

Senate Bill No. 84, An act to restrict the cutting or gathering of seaweed, rockweed and sea moss.

The report was accepted.

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, to whom was referred House Bill No. 309, An act relative to payments by tax collector, reported the same under Joint Rule No. 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the sixth sentence of section 1 of said bill by striking out the word "by" and inserting in place thereof the word, on, so that said sentence as amended shall read as follows: He shall on the last Monday of each month maintain office hours in the town hall building or other place designated as a meeting place for the selectmen, for the transaction of tax business.

On motion of Mr. Hodgdon of Tuftonboro the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence.

House Bill No. 412, An act naming certain bridges in Lancaster and Bradford, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by adding at the end thereof

the words, and relative to a certain recreational road in the town of Hart's Location, so that said title as amended shall read as follows:

An act naming certain bridges in Lancaster and Bradford and relative to a certain recreational road in the town of Hart's Location.

On motion of Mr. Ingham of Winchester the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence.

Committee Reports

Mr. Cummings of Colebrook, for the Committee on Appropriations, to whom was referred House Bill No. 113, An act relative to salaries of state officers and employees, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Barry of Wilton, for the Committee on Appropriations, to whom was referred House Bill No. 124, An act providing for a salary increase for state employees and officials, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the word "January" and inserting in place thereof the word, July, so that said section as amended shall read as follows:

1. *Salary Increase.* In consideration of the rise in the cost of living, all state employees and officials in state service as of the date of the passage of this act, other than the members of boards, commissions or committees paid on a per diem basis, regularly employed in the state service, are hereby granted a cost of living pay increase effective as of July 1, 1951.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *Computation of Amount.* The increase provided for in section 1 shall be computed at the rate of twenty-five dollars per month. Provided, that in the case of persons who enter regular state service subsequent to July 1, 1951, the increase

shall be paid only from the date of entrance into state service. The salary increase computed as herein provided shall be deemed to be a part of the regular salary of said officials and employees and said increase shall be paid through regular payroll channels and procedure.

Amend section 3 of said bill by striking out said section and inserting in place thereof the following:

3. *Exception.* Notwithstanding the provisions of section 1 the salary increase provided for herein shall not be applicable to superintendents and assistant superintendents of school supervisory unions.

Amend section 5 of said bill by striking out the same and inserting in place thereof the following:

5. *Appropriation.* The sum of $1,248,000 for the fiscal year ending June 30, 1952, and the sum of $1,248,000 for the fiscal year ending June 30, 1953, are hereby appropriated for the salary increases provided for herein.

The governor with the advice and consent of the council is hereby authorized to cause to be transferred from special funds of the following departments and commissions such sums as may be needed to provide the amounts necessary to provide the salary increases hereby authorized for officials and employees of said departments and commissions: forestry and recreation commission aerial tramway funds; fish and game department; public works and highways department; hairdressers' board; barbers' board; liquor commission; motor vehicle department; racing commission; teachers' retirement board; public welfare department; and the division of employment security within the department of labor. The balance of sums necessary to provide funds hereunder shall be a charge upon the general funds of the state.

The report was accepted.

The bill with the amendment pending was laid upon the table under Rule No. 48, to be taken up Thursday, July 12.

Mr. Henderson of Durham, for the Committee on Appropriations, to whom was referred House Bill No. 138, An act relating to the University of New Hampshire, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by inserting after section 2 the following new section:

3. *Appropriation.* In order to provide the necessary funds to meet the additional requirements of section 1 there is hereby appropriated the sum of three hundred and seventy thousand thirty dollars and ninety-three cents ($370,030.93) for the fiscal year ending June 30, 1952, and a like sum for the fiscal year ending June 30, 1953, for the University of New Hampshire fund. The sums appropriated hereunder shall be in addition to funds appropriated for the University under the general biennium appropriation acts. The governor is authorized to draw his warrants for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

Further amend said bill by renumbering section 3 to read section 4.

The report was accepted.

The bill with the amendment pending was laid upon the table under Rule No. 48, to be taken up Thursday, July 12.

Mr. Geisel of Manchester, for the Committee on Banks, to whom was referred Senate Bill No. 74, An act relating to conversion between state and national banks, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Putney of Andover, for the Committee on Fish and Game, to whom was referred Senate Bill No. 59, An act changing the season for taking pheasants, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Putney of Andover, for the Committee on Fish and Game, to whom was referred House Bill No. 313, An act providing for a uniform open season for taking wild deer, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Willey of Campton moved that the bill be laid upon

the table and made a special order for Wednesday, July 11, at 11:01 o'clock.

The question being on the motion for a special order.

(Discussion ensued)

Mr. Willey of Campton spoke in favor of the motion.

On a *viva voce* vote the motion for a special order did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Wells of Newton, for the Committee on Judiciary, to whom was referred House Joint Resolution No. 36, Joint resolution providing for a committee to investigate legislative procedure, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Miss Horner of Thornton, for the Committee on Municipal and County Government, to whom was referred House Bill No. 434, An act authorizing towns to form unions for the purpose of employing a town manager, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Miss Horner of Thornton, for the Committee on Municipal and County Government, to whom was referred Senate Bill No. 94, An act relating to parking meters, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Eldredge of Exeter moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Mr. Eldredge of Exeter spoke in favor of the motion.

Messrs. Pillsbury of Manchester, Willey of Campton and Kearns of Manchester spoke against the motion.

On a *viva voce* vote the motion to indefinitely postpone did not prevail.

The question being, Shall the bill be read a third time?

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Miller of Fitzwilliam, for the Committee on Transportation, to whom was referred Senate Bill No. 90, An act relating to maintenance of essential transportation facilities during periods of emergency, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

On motion of Mr. Sanborn of Wakefield the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Ferguson of Pittsfield, for the Committee on Appropriations, to whom was referred House Bill No. 375, An act to establish a legislative council, reported the same, in new draft and with new title, with the recommendation that the bill in its new draft and with its new title be recommitted to the Committee on Appropriations.

The report was accepted, the bill in its new title and new draft read a first and second time, laid upon the table to be printed and recommitted to the Committee on Appropriations.

Taken from the Table

On motion of Mr. Jones of Lebanon House Bill No. 419 was taken from the table.

The question being on the amendment as printed in the Journal of June 27.

(Discussion ensued)

Mr. Jones of Lebanon requested that the bill be divided into four parts.

The Speaker ordered sections 1 and 2 of the bill to be taken up.

Mr. Pillsbury of Manchester moved that sections one and two of the bill be recommitted to the Committee on Ways and Means.

The question being on the motion to recommit sections 1 and 2.

(Discussion ensued)

Messrs. Pillsbury, Kearns and Geisel of Manchester spoke in favor of the motion.

On a *viva voce* vote sections 1 and 2 of House Bill No. 419 was recommitted to the Committee on Ways and Means.

Mr. Jones of Lebanon moved that sections 3, 4 and 5 be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Messrs. Jones of Lebanon, Pickett of Keene and Cummings of Lyndeborough spoke in favor of the motion.

Mr. Barry of Wilton moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone sections 3, 4 and 5.

On a *viva voce* vote sections 3, 4 and 5 of House Bill No. 419 were indefinitely postponed.

Mr. Jones of Lebanon moved that section 6 be indefinitely postponed.

The question being on the motion to indefinitely postpone section 6.

On a *viva voce* vote section 6 of House Bill No. 419 was indefinitely postponed.

Mr. Jones of Lebanon moved that sections 7, 8 and 9 be indefinitely postponed.

The question being on the motion to indefinitely postpone sections 7, 8 and 9.

(Discussion ensued)

Messrs. Pickett of Keene, Spaulding of Hudson, Payeur of Pembroke, Jones of Lebanon, Waterhouse of Windham and Chandler of Warner, spoke in favor of the motion.

Messrs. Carter of Cornish, Martel of Manchester, Benson of Conway, Clarke of Canaan, Metcalf of Tilton and Mrs. Jackson of Dublin and Mrs. Millar of Claremont, spoke against the motion.

Mr. Roche of Manchester moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone sections 7, 8 and 9.

Mr. Metcalf of Tilton demanded the Yeas and Nays, and the roll was called with the following result:

Yeas, 164

BELKNAP COUNTY: Keller, O'Shan.

CARROLL COUNTY: Downs, Moulton, Hart of Wolfeboro, McHugh.

MERRIMACK COUNTY: Dodge, Corbett, Brunel, Nawn, Chase of Franklin, Burke, Charland, Mason, Beale, DuDevoir, Lea, Payeur, Chandler.

HILLSBOROUGH COUNTY: Sterling, Spaulding of Hudson, Cummings of Lyndeborough, Danforth, Geisel, Connor, Dwyer, Sweeney, Fitzgerald, Kean, Nolan, Betley, Healy of Manchester, Ward 5, Kazakis, Proulx, Shea of Manchester, Casey, Cavanaugh, Clancy, Ecker, Healy of Manchester, Ward 6, Zyla, Downey, Sullivan of Manchester, Constant, Delisle, Kane, Roy of Manchester, Cary, Gagnon, Auger, Getz, Kearns, Roche, Roukey, Soucy, Vaillancourt, Daniel, Gauthier, Cannon, Donnelly, Wedick, Cooper, Ramsdell, Underhill, Boire, Belcourt, Maynard of Nashua, Ward 3, Brosnahan, Cote, Marquis, Boisvert, Dionne, Shea of Nashua, Chartrain, Dupont, Ryan, Cormier, Grandmaison, Janelle, Bouthillier, Pelletier of Nashua, Ward 9, Ashley of New Ipswich, Mailloux, Cummings of Peterborough, French of Weare, Barry.

CHESHIRE COUNTY: Spofford, Pickett, Sherwin, Kershaw, Lang, Rhodes, Thompson of Winchester.

SULLIVAN COUNTY: Angus, Nahil, Baron of Claremont, Marcotte of Claremont, Gamsby.

GRAFTON COUNTY: Gingras, Willey, Avery, Lorden, Atkins, Fuller, Jones, Griffin of Lincoln, Collins of Lisbon, Gardner, Pushee, Huckins.

COOS COUNTY: Dussault, Hinchey, Moffett, Desilets, Henderson of Berlin, Sheridan, Morel, Sullivan of Berlin,

Bouchard, Fontane, Laforce, Roy of Berlin, Cummings of Colebrook.

ROCKINGHAM COUNTY: Tuttle, Darbe, Lindahl, Clark of Derry, Cushing, Hepworth, Fecteau, Kendall, Richards, LeComte, Ring, McNeil, McCaffery, Sheehy, Labranche of Newmarket, Pinkham, Dondero, Foote, Yeaton, Dame, Leary, Smart, Ingraham of Portsmouth, Philbrick, Haigh, Peever, Waterhouse.

STRAFFORD COUNTY: Marcotte of Dover, Shaheen, Fellows, Carroll, Crandall, Flanagan, Parker, Caldwell, Smith of New Durham, Maxfield, Lacasse, St. Pierre, Fernald, Leach, Brown of Strafford.

Nays, 174

BELKNAP COUNTY: Perkins of Alton, McAllister, Boutin, Weeks, Osborne, Hart of Laconia, Simoneau, Tilton of Laconia, Ward 3, Tilton of Laconia, Ward 4, Brown of Laconia, Ransom, Smith of Meredith, Matthews, Atwood, Metcalf.

CARROLL COUNTY: Washburn, Benson, Hill, Morey, Nickerson, Lamprey, Knox, Remick, Hodgdon, Sanborn.

MERRIMACK COUNTY: Putney, Ellsworth, Moore, Vogel, Marden, Ferrin, Tebbetts, Kennedy of Concord, Hurd, Perkins of Concord, Saltmarsh, Tilton of Concord, Freeman of Concord, Greene of Concord, Blodgett of Concord, Ward 8, Sawyer of Concord, Sargent, Hadley, Ayotte, Maxwell, Milligan, Wilman, Ferguson, Young, Powell, Sawyer of Wilmot.

HILLSBOROUGH COUNTY: Holmes, Wilson, French of Bedford, Black, Farwell, Hambleton, Poore, Reed, Doonan, English, Goodwin, Abbott, Corliss, Kennedy of Manchester, Martel, Thibodeau, Peaslee, Falconer, Nelson, Wadleigh, Record, Pelletier of Nashua, Ward 8, Locke of New Boston, Hines.

CHESHIRE COUNTY: Burnham, Jackson, Miller of Fitzwilliam, Walker, Perry of Jaffrey, Kirk, O'Neil of Keene, Landers, Wheeler, Bennett, Erwin, Codding, Turner, Worcester, Billings, Ingham of Winchester.

SULLIVAN COUNTY: Bascom, Frizzell, Brooks, Converse, Bissonnett, Millar of Claremont, Carter of Cornish, Bailey, Perry of Newport, Rowell, Vaughan, Pierce, Callum.

GRAFTON COUNTY: Chamberlin of Bath, Plumer, Clarke of Canaan, Grass, Williams, Holden of Hanover, Chamberlin of Haverhill, Sleeper, Adams, Ashley of Lebanon, Cole, Randall, Kelley, Martin of Littleton, Burrill, Skinner, Howard, Bell, Barney, Horner, Woodward, Gilbert, Sawyer of Woodstock.

COOS COUNTY: Shield, Brungot, Gould, Oakes, Emerson, Fraser, Malloy, Kimball, Evans, Simonds, Means, Christopher, Ellingwood, Hilliard, Placy, Stinson, Taylor.

ROCKINGHAM COUNTY: Griffin of Auburn, Libby, Wastcoat, Freeman of East Kingston, Eldredge, Rathbone of Exeter, Bonney, Putnam, Thurlow, Eastman, Hall of Londonderry, Wells, Carter of No. Hampton, McDaniel, Colcord, Sukeforth, Bluitte, Scamman.

STRAFFORD COUNTY: Swain, Felker, Locke of Dover, Blanchard, Horne, Dustin, Winters, Studley, Lagueux, Letourneau, Cater of Somersworth, Malley.

Mr. Gay of Derry voting Yes, paired with Mr. Pillsbury of Manchester voting No.

And the motion to indefinitely postpone sections 7, 8 and 9 of House Bill No. 419 did not prevail.

The question being on the committee report of striking out sections 7, 8 and 9.

(Discussion ensued)

Mr. Pickett of Keene spoke in favor of the report.

Mr. Corbett of Concord moved that sections 7, 8 and 9 be recommitted to the Committee on Ways and Means.

The question being on the motion to recommit.

(Discussion ensued)

Messrs. Martel of Manchester, Wadleigh of Milford, Gagnon of Manchester, Nelson of Milford, Ferguson of Pittsfield, Pickett of Keene, Mrs. Brungot of Berlin and Mrs. Richards of Exeter spoke against the motion.

Mr. Metcalf of Tilton moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to recommit.

Mr. Chandler of Warner asked for a division.

A division being had, 136 members having voted in the affirmative and 192 members having voted in the negative, the motion to recommit did not prevail.

The question being on the committee amendment striking out sections 7, 8 and 9.

Mr. Kennedy of Manchester moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the committee amendment striking out sections 7, 8 and 9.

Mr. Kazakis of Manchester demanded the Yeas and Nays and the roll was called with the following result:

Yeas, 169

HILLSBOROUGH COUNTY: Crosby, Sterling, Spaulding of Hudson, Cummings of Lyndeborough, Danforth, Geisel, Connor, Dwyer, Sweeney, Fitzgerald, Kean, Nolan, Betley, Healy of Manchester, Ward 5, Kazakis, Proulx, Shea of Manchester, Casey, Cavanaugh, Clancy, Ecker, Healy of Manchester, Ward 6, Zyla, Downey, Sullivan of Manchester, Constant, Delisle, Kane, Roy of Manchester, Cary, Gagnon, Auger, Getz, Kearns, Roche, Roukey, Soucy, Vaillancourt, Daniel, Gauthier, Cannon, Donnelly, Wedick, Peaslee, Cooper, Ramsdell, Underhill, Boire, Belcourt, Maynard of Nashua, Ward 3, Brosnahan, Cote, Marquis, Boisvert, Dionne, Shea of Nashua, Chartrain, Dupont, Ryan, Cormier, Grandmaison, Janelle, Pelletier of Nashua, Ward 8, Bouthillier, Pelletier of Nashua, Ward 9, Mailloux, Cummings of Peterborough, French of Weare, Barry.

CHESHIRE COUNTY: Spofford, Pickett, Walsh, Sherwin, Kershaw, Lang, Rhodes, Thompson of Winchester.

SULLIVAN COUNTY: Angus, Nahil, Baron of Claremont, Marcotte of Claremont, Gamsby.

GRAFTON COUNTY: Gingras, Avery, Lorden, Atkins, Jones, Griffin of Lincoln, Collins of Lisbon, Gardner, Huckins.

COOS COUNTY: Dussault, Hinchey, Moffett, Desilets, Henderson of Berlin, Sheridan, Morel, Sullivan of Berlin, Bouchard, Fontaine, Laforce, Roy of Berlin, Cummings of Colebrook.

ROCKINGHAM COUNTY: Tuttle, Lindahl, Clark of Derry, Cushing, Hepworth, Fecteau, Kendall, Richards, LeComte, Ring, McNeil, McCaffery, Sheehy, Labranche of Newmarket, Pinkham, Dondero, Foote, Yeaton, Dame, Leary, Smart, Ingraham of Portsmouth, Philbrick, Haigh, Peever, Waterhouse.

STRAFFORD COUNTY: Karkavelas, Marcotte of Dover, Shaheen, Fellows, Carroll, Crandall, Flanagan, Parker, Caldwell, Smith of New Durham, Maxfield, Lacasse, St. Pierre, Fernald, Leach, Brown of Strafford.

BELKNAP COUNTY: McAllister, Simoneau, Keller, O'Shan.

CARROLL COUNTY: Downs, Morey, Moulton, Hart of Wolfeboro, McHugh.

MERRIMACK COUNTY: Dodge, Corbett, Brunel, Nawn, Chase of Franklin, Burke, Charland, Mason, Beale, DuDevoir, Lea, Payeur, Young, Chandler.

Nays, 175

HILLSBOROUGH COUNTY: Holmes, Wilson, French of Bedford, Black, Farwell, Hambleton, Poore, Reed, Doonan, English, Goodwin, Abbott, Corliss, Kennedy of Manchester, Pillsbury, Martel, Thibodeau, Falconer, Nelson, Wadleigh, Record, Lockè of New Boston, Ashley of New Ipswich, Hines.

CHESHIRE COUNTY: Burnham, Jackson, Miller of Fitzwilliam, Walker, Perry of Jaffrey, Kirk, O'Neil of Keene. Landers, Wheeler, Bennett, Erwin, Codding, Turner, Worcester, Billings, Ingham of Winchester.

SULLIVAN COUNTY: Bascom, Frizzell, Brooks, Converse, Bissonnett, Millar of Claremont, Carter of Cornish, Bailey, Perry of Newport, Rowell, Vaughan, Pierce, Callum.

GRAFTON COUNTY: Chamberlin of Bath, Plumer, Willey, Clarke of Canaan, Grass, Williams, Fuller, Holden of Hanover, Chamberlin of Haverhill, Sleeper, Adams, Ashley of Lebanon, Cole, Randall, Kelley, Martin of Littleton, Pushee, Burrill, Skinner, Howard, Bell, Barney, Horner, Woodward, Gilbert, Sawyer of Woodstock.

COOS COUNTY: Shields, Brungot, Gould, Oakes, Emerson, Fraser, Malloy, Kimball, Evans, Simonds, Means, Christopher, Ellingwood, Hilliard, Placy, Stinson, Taylor.

ROCKINGHAM COUNTY: Griffin of Auburn, Libby, Wastcoat, Freeman of East Kingston, Eldredge, Rathbone of Exeter, Bonney, Putnam, Thurlow, Eastman, Hall of Londonderry, Wells, Carter of No. Hampton, McDaniel, Colcord, Sukeforth, Bluitte, Scamman.

STRAFFORD COUNTY: Swain, Felker, Locke of Dover, Blanchard, Horne, Dustin, Winters, Studley, Lagueux, Letourneau, Cater of Somersworth, Malley.

BELKNAP COUNTY: Perkins of Alton, Boutin, Weeks, Osborne, Hart of Laconia, Tilton of Laconia, Ward 3, Tilton of Laconia, Ward 4, Brown of Laconia, Ransom, Smith of Meredith, Matthews, Atwood, Metcalf.

CARROLL COUNTY: Washburn, Benson, Hill, Nickerson, Lamprey, Knox, Remick, Hodgdon, Sanborn.

MERRIMACK COUNTY: Putney, Ellsworth, Moore, Vogel, Marden, Ferrin, Tebbetts, Kennedy of Concord, Hurd, Perkins of Concord, O'Neil of Concord, Saltmarsh, Tilton of Concord, Bunten, Freeman of Concord, Greene of Concord, Blodgett of Concord, Ward 8, Sawyer of Concord, Sargent, Hadley, Ayotte, Maxwell, Milligan, Wilman, Ferguson, Powell, Sawyer of Wilmot.

And the committee amendment was not adopted,

Mr. Carter of Cornish offered the following amendment:

Amend section 8 of said bill by striking out the same and inserting in place thereof the following:

8. *Increase in Commissions.* Amend section 15 of chapter 171 of the Revised Laws as amended by chapter 83 of the Laws of 1943, chapter 117 of the Laws of 1945 and chapters 24 and 190 of the Laws of 1949 by striking out the words "eleven and one-half" in the ninth and tenth lines and inserting in place thereof the words, twelve and one-tenth, and by striking out the word "five" in the seventeenth line and inserting in place thereof the words, five and six-tenths, so that said section as amended shall read as follows: 15. *Pari Mutuel Pools.* Within the enclosure of any race track where

is held a race or race meet licensed and conducted under this chapter, but not elsewhere, the sale of pari mutuel pools by the licensee under such regulations as may be prescribed by said commission is hereby permitted and authorized during the calendar years 1951 to 1956, inclusive. Commissions on such pools shall in no event and at no track, excepting at tracks or race meets conducted solely for harness racing by agricultural fairs where the commissions shall be fifteen per cent, exceed twelve and one-tenth per cent of each dollar wagered, plus the odd cents of all redistribution to be based upon each dollar wagered exceeding a sum equal to the next lowest multiple of ten, known as "breakage," one-half of which breakage shall be retained by the licensee and the balance shall be paid to the state treasurer for the use of the state in accordance with the provisions of section 2. Said maximum shall include the five and six-tenths per cent tax hereinafter prescribed. For the purpose of the exception set forth in this section, an "agricultural fair" shall be deemed to be such an association as does provide for and pay premiums of five thousand dollars, or more, annually as is determined by the commissioner of agriculture in accordance with section 18 of this chapter.

The question being on the amendment.

(Discussion ensued)

Messrs. Carter of Cornish, Martel of Manchester and Mrs. Millar of Claremont spoke in favor of the amendment.

Mr. Betley of Manchester and Mrs. Ramsdell of Nashua spoke against the amendment.

Mr. Martel of Manchester moved that the House recess for ten minutes.

On a *viva voce* vote the motion did not prevail.

Mr. Betley of Manchester moved that the bill and amendment be laid upon the table.

Mr. Kearns of Manchester asked for a division.

A division being had, 133 members having voted in the affirmative and 190 members having voted in the negative, the motion to lay upon the table did not prevail.

Mr. Martel of Manchester offered the following amendment to Mr. Carter's amendment:

Amend the amendment by striking out the words "eleven

and one-half" in the sixth line and inserting in place thereof the words, twelve and one-tenth; further amend said amendment by striking out the word "six" in the twenty-fifth line and inserting in place thereof the words, five and six-tenths.

Mr. Carter of Cornish accepted the amendment offered by Mr. Martel of Manchester.

The question being on the amendment as amended.

Mrs. Millar of Claremont demanded the yeas and nays and the roll was called with the following result:

Yeas, 184

SULLIVAN COUNTY: Bascom, Frizzell, Brooks, Converse, Bissonnett, Millar of Claremont, Carter of Cornish, Bailey, Perry of Newport, Rowell, Vaughan, Pierce, Callum.

GRAFTON COUNTY: Chamberlin of Bath, Plumer, Willey, Clarke of Canaan, Grass, Williams, Fuller, Holden of Hanover, Chamberlin of Haverhill, Sleeper, Adams, Ashley of Lebanon, Cole, Randall, Collins of Lisbon, Kelley, Martin of Littleton, Pushee, Burrill, Skinner, Howard, Bell, Huckins, Barney, Horner, Woodward, Gilbert, Sawyer of Woodstock.

COOS COUNTY: Shields, Brungot, Cummings of Colebrook, Gould, Oakes, Emerson, Fraser, Malloy, Kimball, Evans, Simonds, Means, Christopher, Ellingwood, Hilliard, Placy, Stinson, Taylor.

ROCKINGHAM COUNTY: Griffin of Auburn, Libby, Wastcoat, Hazelton, Clark of Derry, Freeman of East Kingston, Eldredge, Rathbone of Exeter, Bonney, Putnam, Thurlow, Eastman, Hall of Londonderry, Wells, Carter of No. Hampton, McDaniel, Colcord, Sukeforth, Bluitte, Philbrick, Scamman.

STRAFFORD COUNTY: Swain, Felker, Locke of Dover, Blanchard, Parker, Horne, Dustin, Winters, Studley, Lagueux, Letourneau, Cater of Somersworth, Malley.

BELKNAP COUNTY: Perkins of Alton, Boutin, Weeks, Osborne, Hart of Laconia, Simoneau, Tilton of Laconia, Ward 3, Tilton of Laconia, Ward 4, Brown of Laconia, Ransom, Smith of Meredith, Matthews, Atwood, Metcalf.

CARROLL COUNTY: Washburn, Benson, Hill, Nickerson, Lamprey, Knox, Remick, Hodgdon, Sanborn.

MERRIMACK COUNTY: Putney, Ellsworth, Moore, Vogel, Marden, Dodge, Ferrin, Tebbetts, Kennedy of Concord, Hurd, Perkins of Concord, O'Neil of Concord, Saltmarsh, Tilton of Concord, Bunten, Freeman of Concord, Greene of Concord, Blodgett of Concord, Ward 8, Sawyer of Concord, Sargent, Hadley, Ayotte, Maxwell, Milligan, Wilman, Ferguson, Powell, Sawyer of Wilmot.

HILLSBOROUGH COUNTY: Holmes, Wilson, French of Bedford, Black, Farwell, Hambleton, Poore, Reed, Doonan, English, Goodwin, Abbott, Corliss, Kennedy of Manchester, Pillsbury, Martel, Thibodeau, Falconer, Nelson, Wadleigh, Record, Locke of New Boston, Ashley of New Ipswich, Hines.

CHESHIRE COUNTY: Burnham, Jackson, Miller of Fitzwilliam, Walker, Perry of Jaffrey, Kirk, O'Neil of Keene, Landers, Wheeler, Bennett, Erwin, Codding, Turner, Worcester, Billings, Ingham of Winchester.

Nays, 151

SULLIVAN COUNTY: Angus, Nahil, Baron of Claremont, Marcotte of Claremont, Gamsby.

GRAFTON COUNTY: Gingras, Avery, Lorden, Atkins, Jones, Griffin of Lincoln, Gardner.

COOS COUNTY: Dussault, Hinchey, Moffett, Desilets, Henderson of Berlin, Sheridan, Morel, Sullivan of Berlin, Bouchard, Fontaine, Laforce, Roy of Berlin.

ROCKINGHAM COUNTY: Tuttle, Lindahl, Cushing, Hepworth, Fecteau, Richards, Lecomte, Ring, McNeil, McCaffery, Sheehy, LaBranche of Newmarket, Pinkham, Dondero, Foote, Yeaton, Leary, Smart, Ingraham of Portsmouth, Haigh, Peever, Waterhouse.

STRAFFORD COUNTY: Karkavelas, Marcotte of Dover, Shaheen, Fellows, Carroll, Crandall, Flanagan, Caldwell, Smith of New Durham, Maxfield, LaCasse, St. Pierre, Fernald, Leach, Brown of Strafford.

BELKNAP COUNTY: McAllister, Keller, O'Shan.

CARROLL COUNTY: Downs, Morey, Moulton, Hart of Wolfeboro, McHugh.

MERRIMACK COUNTY: Corbett, Brunel, Nawn, Chase of Franklin, Burke, Charland, Mason, Beale, DuDevoir, Lea, Payeur, Young, Chandler.

HILLSBOROUGH COUNTY: Crosby, Sterling, Spaulding of Hudson, Cummings of Lyndeborough, Danforth, Geisel, Connor, Dwyer, Sweeney, Fitzgerald, Kean, Nolan, Betley, Healy of Manchester, Ward 5, Kazakis, Proulx, Shea of Manchester, Casey, Cavanaugh, Clancy, Ecker, Healy of Manchester, Ward 6, Zyla, Downey, Sullivan of Manchester, Constant, Delisle, Kane, Roy of Manchester, Cary, Gagnon, Auger, Getz, Kearns, Roche, Roukey, Soucy, Vaillancourt, Daniel, Gauthier, Cannon, Donnelly, Wedick, Peaslee, Cooper, Ramsdell, Underhill, Boire, Belcourt, Maynard of Nashua, Ward 3, Brosnahan, Cote, Marquis, Boisvert, Dionne, Shea of Nashua, Chartrain, Dupont, Ryan, Cormier, Grandmaison, Janelle, Pelletier of Nashua, Ward 8, Bouthillier, Pelletier of Nashua, Ward 9, Mailloux, Cummings of Peterborough, French of Weare, Barry.

CHESHIRE COUNTY: Spofford, Pickett, Walsh, Sherwin, Kershaw, Lang, Rhodes, Thompson of Winchester.

And the amendment was adopted.

Mr. Turner of Keene offered the following amendment:

Amend section 9 by striking out the word "one-half" in the line and inserting in place thereof the word, six-tenths, and by striking out the words "five and one-quarter" in the line and inserting in place thereof the words, five and thirty-five hundredths, so that said section as amended shall read as follows:

9. *Distribution.* Amend section 16 of chapter 171 of the Revised Laws, as amended by section 2 of chapter 117 of the Laws of 1945, by striking out the same and inserting in place thereof the following: 16. *Tax.* Each person, association or corporation licensed to conduct a race or race meet under this chapter shall pay to the state treasurer a sum equal to five and six-tenths per cent of the total contributions to all pari-mutuel pools conducted or made at any race or race meet licensed hereunder. Of the amount so paid to the state treasurer a sum equal to five and thirty-five hundredths per cent of said total contribution shall be distributed in accordance with the provisions of section 2, and a sum equal to one-quarter of one per cent of said total contributions shall be

expended for the promotion of agriculture in the state under the direction of the commissioner of agriculture. Each person, association or corporation licensed to conduct a race or race meet under this chapter shall also pay to the city or town treasurer in which the racing plant is located in the sum of two hundred and fifty dollars for each day of racing, provided, said person, association or corporation has a license to conduct races or race meets for more than eight days during the year for which the license is issued. If said person, association or corporation has a license to conduct races or race meets for less than eight days, the said per diem fee shall be determined by the commission.

Further amend by renumbering sections 7, 8, 9 and 10 to read sections 1, 2, 3 and 4.

The question being on the amendment offered by Mr. Turner.

(Discussion ensued)

Mr. Turner of Keene spoke in favor of the amendment.

Mr. Betley of Manchester moved that the bill and pending amendments be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Mr. Betley of Manchester asked for a division.

A division being had, 127 members having voted in the affirmative and 195 members having voted in the negative, the motion to indefinitely postpone did not prevail.

The question being on the amendment offered by Mr. Turner of Keene.

On a *viva voce* vote the amendment was adopted.

Mr. Pickett of Keene offered the following amendment:

Amend said bill, as amended, by inserting after section 21 the following new section:

3. *Sweepstakes.* Amend chapter 171 of the Revised Laws by inserting after section 21 the following new section: 21-a. *Authorization.* The commission is hereby authorized and directed to conduct two sweepstake races a year within the enclosure of any race track licensed by the commission. For such races the commission is authorized to sell tickets in such number as it may determine necessary or desirable. Not-

withstanding any other provisions of this chapter all commissions on such sale of tickets after payment of expenses incurred by the commission in connection with such sweepstake races, shall be paid into the state treasury and shall be for the use of the state. The commission is authorized to make rules and regulations for the conduct of such sweepstake races, including the fixing of the price to be charged for tickets, the horses to be entered in such races and prizes to be awarded for winners. The commission may employ and fix the compensation of such employees as may be necessary to carry out the provisions of this section.

Further amend said bill by renumbering section 2 to read section 3.

The question being on the amendment.

(Discussion ensued)

Mr. Pickett of Keene spoke in favor of the amendment.

Mr. Kearns of Manchester asked for a division.

A division being had, 191 members having voted in the affirmative and 118 members having voted in the negative the amendment was adopted.

Reconsideration

Mr. Pillsbury of Manchester moved that the vote whereby it adopted the amendment offered by Mr. Pickett of Keene be reconsidered.

The question being on the motion to reconsider.

(Discussion ensued)

Messrs. Pillsbury of Manchester, Tilton of Concord, Perkins of Concord and Mrs. Atkins of Hanover, spoke in favor of the motion.

Messrs. Pickett of Keene and Jones of Lebanon and Mrs. Dondero of Portsmouth, spoke against the motion.

Mr. Ecker of Manchester moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to reconsider.

Mr. Lamprey of Moultonboro demanded the Yeas and Nays, and the roll was called with the following result:

(Mr. Turner of Keene in Chair)

Yeas, 164

CARROLL COUNTY: Washburn, Benson, Hill, Nickerson, Lamprey, Knox, Remick, Hodgdon, Hart of Wolfeboro, McHugh.

MERRIMACK COUNTY: Putney, Ellsworth, Moore, Vogel, Tebbetts, Kennedy of Concord, Hurd, Perkins of Concord, Saltmarsh, Tilton of Concord, Bunten, Freeman of Concord, Greene of Concord, Blodgett of Concord, Ward 8, Sargent, Hadley, Chase of Franklin, Ayotte, Maxwell, Wilman, Ferguson, Young.

HILLSBOROUGH COUNTY: Holmes, Wilson, Black, Hambleton, Poore, Reed, Doonan, English, Goodwin, Abbott, Corliss, Kennedy of Manchester, Pillsbury, Peaslee, Falconer, Nelson, Wadleigh, Record, Locke of New Boston, Ashley of New Ipswich, Cummings of Peterborough, French of Weare.

CHESHIRE COUNTY: Burnham, Jackson, Miller of Fitzwilliam, Perry of Jaffrey, Spofford, Kirk, Landers, Wheeler, Bennett, Erwin, Codding, Turner, Sherwin, Kershaw, Worcester, Billings, Ingham of Winchester.

SULLIVAN COUNTY: Bascom, Frizzell, Brooks, Converse, Bissonett, Millar of Claremont, Carter of Cornish, Bailey, Perry of Newport, Vaughan, Pierce, Callum.

GRAFTON COUNTY: Chamberlin of Bath, Plumer, Clarke of Canaan, Grass, Williams, Atkins, Fuller, Holden of Hanover, Chamberlin of Haverhill, Sleeper, Adams, Cole, Randall, Kelley, Martin of Littleton, Burrill, Skinner, Howard, Bell, Huckins, Barney, Horner, Woodward, Gilbert, Sawyer of Woodstock.

COOS COUNTY: Shields, Cummings of Colebrook, Gould, Oakes, Emerson, Fraser, Malloy, Kimball, Evans, Simonds, Means, Christopher, Ellingwood, Taylor.

ROCKINGHAM COUNTY: Griffin of Auburn, Wastcoat, Hazelton, Clark of Derry, Hepworth, Freeman of East Kingston, Eldredge, Rathbone of Exeter, Bonney, Thurlow, Eastman,

McNeil, Hall of Londonderry, Wells, Carter of North Hampton, McDaniel, Colcord, Sukeforth, Smart, Bluitte, Philbrick, Scamman.

STRAFFORD COUNTY: Swain, Felker, Locke of Dover, Parker, Dustin, Maxfield, Winters, Studley, Fernald, Malley.

BELKNAP COUNTY: Perkins of Alton, McAllister, Weeks, Osborne, Hart of Laconia, Tilton of Laconia, Ward 3, Tilton of Laconia, Ward 4, Ransom, Matthews, Atwood.

Nays, 176

CARROLL COUNTY: Downs, Sanborn.

MERRIMACK COUNTY: Marden, Dodge, Ferrin, Corbett, O'Neil of Concord, Brunel, Nawn, Sawyer of Concord, Burke, Charland, Mason, Beale, DuDevoir, Milligan, Lea, Payeur, Powell, Chandler, Sawyer of Wilmot.

HILLSBOROUGH COUNTY: French of Bedford, Farwell, Crosby, Sterling, Spaulding of Hudson, Cummings of Lyndeborough, Danforth, Geisel, Dwyer, Martel, Sweeney, Fitzgerald, Kean, Nolan, Betley, Healy of Manchester, Ward 5, Kazakis, Proulx, Shea of Manchester, Casey, Cavanaugh, Clancy, Ecker, Healy of Manchester, Ward 6, Zyla, Downey, Sullivan of Manchester, Constant, Delisle, Kane, Roy of Manchester, Cary, Gagnon, Auger, Getz, Kearns, Roche, Roukey, Soucy, Vaillancourt, Daniel, Gauthier, Thibodeau, Cannon, Donnelly, Wedick, Cooper, Ramsdell, Underhill, Boire, Belcourt, Maynard of Nashua, Ward 3, Brosnahan, Cote, Marquis, Boisvert, Dionne, Shea of Nashua, Chartrain, Dupont, Ryan, Cormier, Grandmaison, Janelle, Pelletier of Nashua, Ward 8, Bouthillier, Pelletier of Nashua, Ward 9, Mailloux, Barry, Hines.

CHESHIRE COUNTY: Walker, O'Neil of Keene, Pickett, Walsh, Lang, Rhodes, Thompson of Winchester,

SULLIVAN COUNTY: Angus, Nahil, Baron of Claremont, Marcotte of Claremont, Rowell, Gamsby.

GRAFTON COUNTY: Gingras, Willey, Avery, Lorden, Ashley of Lebanon, Jones, Griffin of Lincoln, Collins of Lisbon, Gardner, Pushee.

COOS COUNTY: Dussault, Hinchey, Moffett, Desilets, Henderson of Berlin, Sheridan, Brungot, Morel, Sullivan of Berlin, Bouchard, Fontaine, Laforce, Roy of Berlin, Hilliard, Placy, Stinson.

ROCKINGHAM COUNTY: Tuttle, Libby, Lindahl, Cushing, Fecteau, Kendall, Richards, LeComte, Putnam, Ring, McCaffery, Sheehy, Labranche of Newmarket, Pinkham, Dondero, Foote, Yeaton, Dame, Leary, Ingraham of Portsmouth, Haigh, Peever, Waterhouse.

STRAFFORD COUNTY: Karkavelas, Marcotte of Dover, Shaheen, Fellows, Carroll, Crandall, Flanagan, Blanchard, Caldwell, Horne, Smith of New Durham, Lacasse, St. Pierre, Leach, Lagueux, Letourneau, Cater of Somersworth, Brown of Strafford.

BELKNAP COUNTY: Boutin, Keller, Brown of Laconia, Smith of Meredith, Metcalf.

(The Speaker in Chair)

And the motion to reconsider did not prevail.

Mr. Pillsbury of Manchester moved that sections 7, 8 and 9 of the amendment as amended be indefinitely postponed.

(Discussion ensued)

Mr. Pillsbury of Manchester spoke in favor of the motion.

Mr. Pillsbury of Mancheter asked for a division.

A division being had, 182 members having voted in the affirmative and 122 members having voted in the negative, the motion to indefinitely postpone prevailed.

Mr. Gauthier of Manchester moved that the House adjourn.

On a *viva voce* vote the Chair was in doubt.

A division being had, 152 members having voted in the affirmative and 131 members having voted in the negative, the House adjourned.

The House was immediately called to order in afternoon session.

(Afternoon)

On motion of Mr. Wadleigh of Milford the third reading of bills were read by their titles only.

Third Readings

Senate Bill No. 74, An act relating to conversion between state and national banks.

Senate Bill No. 94, An act relating to parking meters.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

Mr. Holden of Hanover offered the following resolution:

Whereas, the member from Hanover, Robert J. Fuller, is celebrating his fifty-second wedding anniversary, therefore be it

Resolved, That the House of Representatives extend to Mr. and Mrs. Fuller our best wishes on this anniversary date with the hope they will enjoy many anniversaries in the future and be it further

Resolved, That the Clerk of the House transmit to Mr. and Mrs. Fuller a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

On motion of Mrs. Millar of Claremont at 4:26 o'clock the House adjourned.

WEDNESDAY, JULY 11, 1951

The House met according to adjournment.

Prayer was offered by Rev. Elwyn A. Smith, Dean of Theological Seminary of the University of Dubuque, Dubuque, Iowa.

Blessed God, Creator of mankind and sustainer of our life, we adore Thee for Thine abundant mercies to us: family joys, health, and national prosperity.

We beseech Thee to guide all who in Thy providence preside over affairs of state; grant single-mindedness, courage, discernment, persistence and reverence, to all law-makers;

Vouchsafe to all citizens the selflessness to support laws enacted in good conscience and for high reasons; and in Thy mercy utterly destroy all works that exalt what is worthless.

In Our Savior's Name. Amen.

Leaves of Absence

Messrs. Lamson of New London, Milligan of Newbury, Bunten of Concord and Perry of Jaffrey were granted leaves of absence for the day on account of important business.

Mr. Brunel of Concord and Mrs. Lareau of Manchester were granted leaves of absence for Wednesday and Thursday on account of important business.

Engrossed Bills Report

Mrs. Landers of Keene, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 269, An act relating to the registration of architects.

House Bill No. 284, An act relating to trespassing on posted land.

Senate Bill No. 94, An act relating to parking meters.

The report was accepted.

Committee Reports

Mr. Tilton of Ward 3, Laconia, for the Committee on Appropriations, to whom was referred House Bill No. 58, An act relative to extension of a special appropriation for the Fish and Game Department, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Roche of Manchester, for the Committee on Banks, to whom was referred Senate Bill No. 99, An act relating to payment of dividends in credit unions, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Reconsideration

Mr. Skinner of Orford moved that the vote whereby the House adopted the resolution of the committee, inexpedient to legislate, on House Bill No. 313, be reconsidered.

The question being on the motion to reconsider.

(Discussion ensued)

Messrs. Skinner of Orford and Willey of Campton spoke in favor of the motion.

Messrs. Rhodes of Walpole and Fernald of Rochester spoke against the motion.

On a *viva voce* vote the motion to reconsider did not prevail.

Recalled from Governor

Mr. Angus of Claremont moved that House Bill No. 145 be recalled from the Governor.

The question being on the motion.

(Discussion ensued)

Mr. Angus of Claremont spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mr. Angus of Claremont moved that the rules be suspended, and the vote whereby the House voted to concur in the Senate amendment to House Bill No. 145 be reconsidered.

On a *viva voce* vote the motion to reconsider was adopted.

Mr. Angus of Claremont further moved that the House non-concur in the Senate amendment on House Bill No. 145, and a committee of conference be appointed.

The question being on the motion to non-concur.

(Discussion ensued)

Mr. Angus of Claremont spoke in favor of the motion.

Mr. Chandler of Warner moved that House Bill No. 145 be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Mr. Chandler of Warner spoke in favor of the motion.

Messrs. Pickett of Keene and Sanborn of Wakefield spoke against the motion.

On a *viva voce* vote the motion to indefinitely postpone did not prevail.

The question being on the motion to non-concur in the Senate amendment and a Committee of Conference be appointed.

On a *viva voce* vote the motion prevailed.

The Speaker appointed as members on such committee, on the part of the House, Messrs. Perkins of Concord, Angus of Claremont and Janelle of Nashua.

Conference Committee's Report

The Committee of Conference, to whom was referred House Bill No. 383, An act relative to fees for licenses to hunt or fish and for guides, reported the same with the following recommendation:

That the House recede from its position of non-concurrence, that the Senate recede from its position in adopting its amendments, and that the following amendment be adopted:

Amend section 1 of the bill by striking out wherever it appears the words "fifty cents" and inserting in place thereof the words, twenty-five cents, so that said section as amended shall read as follows: 1. *Fish and Game.* Amend paragraph I of section 6 of chapter 247 of the Revised Laws as amended by section 1, chapter 217 of the Laws of 1947 by striking out said paragraph and inserting in place thereof the following new paragraphs: I. If the applicant is a resident of this state and wishes to hunt, two dollars and twenty-five cents, and the agent shall thereupon issue a resident hunting license which shall entitle the licensee to hunt, shoot, kill or take, except by the use of traps, and to transport game birds and game animals under the restrictions of this title. I-a. If the applicant is a resident of this state and wishes to fish, two dollars and twenty-five cents, and the agent shall thereupon issue a resident fishing license, which shall entitle the licensee to kill, take and transport fish and salt water smelt under the restrictions of this title. I-b. If the applicant is a resident of this state and wishes to hunt and fish, three dollars and seventy-five cents, and the agent shall thereupon issue a resident hunting and fishing license, which shall entitle the licensee to hunt, shoot, kill or take, except by the use of traps, and to transport game birds, game animals, fish, and salt water smelt, under the restrictions of this title.

RALPH A. BLAKE,
FRED G. HAYES, JR.,
Conferees on the Part of the Senate.

FRED H. WASHBURN,
E. E. RHODES, JR.,
FRANK H. SHERIDAN,
Conferees on the Part of the House.

On a *viva voce* vote the report was adopted.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of Representatives in the passage of the following joint resolution, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Joint Resolution No. 40, Joint resolution in favor of the estates of Benjamin G. Hall, Augustus F. Butman and Thomas H. Burbank.

Amend the caption of said resolution by striking out the same and inserting in place thereof the following:

Joint resolution in favor of the estates of Benjamin G. Hall, Augustus F. Butman and Thomas H. Burbank.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the state treasurer be and hereby is directed to pay to the estates of Benjamin G. Hall, Representative from Marlborough, Augustus F. Butman, Senator from District 22, and Thomas H. Burbank, Senator from District 20, the balance of salary due said decedents as members of the General Court.

On motion of Mr. Sanborn of Wakefield the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 132, An act to establish the rights and privileges of officers and employees of the state who enter into the armed forces of the United States.

Amend section 8 of said bill by adding at the end thereof the following: Provided that if a veteran shall be reinstated in a reorganized department, board or commission, as provided in the preceding sentence, said department, board or commission shall, upon such reinstatement, unless need and an appropriation for an additional employee exists, immedi-

ately decrease its personnel by the discharge of one of its other employees, it being the intention of the legislature that in such an event the reinstatement of the veteran shall not unnecessarily increase the number of employees of said department, board or commission, so that said section as amended shall read as follows:

8. *Reinstatement of Employees.* Any state employee who left or leaves to enter the armed forces of the United States shall be reinstated after such service in the armed forces, provided he makes application therefor within sixty days after his discharge from such service. In the event that any such state employee is discharged from the armed forces of the United States because of physical disability which requires a period greater than sixty days but not longer than one year in which to recuperate to an extent which will render him physically qualified to resume his former state duties, upon application in writing to that effect (substantiated by a certificate from a medical physician), filed with the appointing or employing authority of such person within a period of sixty days following discharge from the armed forces, the limiting period of sixty days specified in sections 7 and 8 of this act shall be extended to a period of not more than one year. No person shall be entitled to reinstatement in the event of his dishonorable discharge from such service in the armed forces of the United States. Under the provisions of this chapter any former employee of the state shall be entitled to all increases in compensation and to any within-department promotion or advantage which would have accrued to him had he continued in state service during the time of this service in the armed forces, provided, however, such employee shall have to his credit only the same number of days sick leave as had accrued to him at the time of his entry into the armed forces. If during the absence of such persons from the state service there has been any change in the organization of the department, board or commission, or other state agency in which the veteran was formerly employed, so that the position formerly held is no longer existent in fact, or if the position formerly held has become technically non-existent by reason of retitling, consolidation with another position or positions, or sub-division of responsibilities into other positions, the veteran shall, without undue delay, be entitled to appointment to a

position in the reorganized department, board or commission, which shall in standing and status be equivalent to the position held by him prior to his entry into the armed forces of the United States and carrying compensation at no lesser rate. Provided that if a veteran shall be reinstated in a reorganized department, board or commission, as provided in the preceding sentence, said department, board or commission shall, upon such reinstatement, unless need and an appropriation for an additional employee exists, immediately decrease its personnel by the discharge of one of its other employees, it being the intention of the legislature that in such an event the reinstatement of the veteran shall not unnecessarily increase the number of employees of said department, board or commission.

On motion of Mr. McMeekin of Haverhill the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills to the following House Bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 438, An act to establish a new apportionment for the assessment of public taxes.

Amend section 1 of said bill by striking out the line relative to Windham and inserting in place thereof the following:

Windham, two dollars and thirty-one cents 2.31

On motion of Mr. Peever of Salem the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

Senate Bill No. 75, An act to provide for short-form deeds.

Amend section 8 of said bill by adding at the end thereof the following:

Witness:

(Here add acknowledgment)

Amend section 11 of said bill by striking out the sixth to ninth lines inclusive and inserting in place thereof the following: 17. *Tenants in Common.* Every conveyance or devise of real estate made to two or more persons shall be construed to create an estate in common and not in joint tenancy, unless it shall be expressed therein that the estate is to be holden by the grantees or devisees as joint tenants, or to them and the survivor of them, or unless

On motion of Mr. Wells of Newton the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution sent up from the House of Representatives:

House Bill No. 361, An act relative to indemnity for condemned domestic animals.

House Bill No. 391, An act relative to unexpended balances of amounts appropriated by capital budget chapters 210 of the Laws of 1945 or chapter 294 of the Laws of 1947.

House Bill No. 438, An act to establish a new apportionment for the assessment of public taxes.

House Bill No. 443, An act extending the appropriation for the so-called children's study home.

House Joint Resolution No. 30, Joint resolution in favor of the town of Auburn.

The message also announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 330, An act relating to veterans preference in public employment.

Resolutions

Mr. Danforth of Manchester offered the following resolution:

Resolved, That the House of Representatives be in session for four days each week, starting this week, sessions to be

held on Tuesday, Wednesday, Thursday and Friday, July 17, 18, 19 and 20, respectively.

On a *viva voce* vote the resolution was not adopted.

Mrs. Morey of Hart's Location offered the following resolution:

Resolved, That the Superintendent of State Buildings and Grounds be instructed to equip Representatives' Hall with electric fans without delay.

On a *viva voce* vote the resolution was not adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended, business in order at 3:00 o'clock was made in order at the present time, and the third reading of bills were read by their titles only.

Third Readings

House Bill No. 58, An act relative to extension of a special appropriation for the fish and game department.

Read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 99, An act relating to payment of dividends in credit unions.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mr. Pierce of Plainfield at 11:55 o'clock the House adjourned.

THURSDAY, JULY 12, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

Almighty God, the giver of all good; how often we thank Thee when we have our health and all our faculties intact. Help us to remember there are thousands who have lost one or more of these deeply prized and essential members of this human body, and yet they possess, and exhibit, a joy and fulness of life that many of us should covet. O God, give us the

strength and wisdom to fully live, though the body be crippled. Remind us always that there is blindness other than the loss of physical sight, and a lameness other than that of the loss or crippled limb. Keep us, our God, from the tragedy of a deformed and visionless soul. Through Jesus Christ, our Lord. Amen.

Leave of Absence

Mr. Hazelton of Chester was granted leave of absence for the day on account of important business.

Introduction of Bill

The following bill was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules, House Bill No. 455, An act relative to bond for and duties of the state treasurer. To the Committee on Appropriations.

Committee Reports

Mr. Baron of Claremont, for the Committee on Appropriations, to whom was referred House Bill No. 396, An act authorizing an interstate compact relating to flood control of the Connecticut River, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 6 of the bill by striking out the words "six hundred dollars" in the sixth and seventh lines and inserting in place thereof the words, one thousand eight hundred dollars, so that said section as amended shall read as follows:

6. *Appropriation.* The sum of one thousand dollars is hereby appropriated for the fiscal year ending June 30, 1952, and a like sum for the fiscal year ending June 30, 1953, for the purpose of carrying out the provisions of Article VII of said compact or agreement relating to payment by the state to the Connecticut River Valley Flood Control Commission of the proportionate share of the state in the expenses of said commission. For the purposes of section 5, an additional sum of one thousand eight hundred dollars is appropriated for the fiscal year ending June 30, 1952 and a like sum for the fiscal year ending June 30, 1953.

The question being on the amendment.

(Discussion ensued)

Mr. Sanborn of Wakefield spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Brown of Laconia, for the Committee on Aviation, to whom was referred House Bill No. 426, An act relating to the taxation of municipal airports and other aeronautical facilities, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Putney of Andover, for the Committee on Fish and Game, to whom was referred Senate Bill No. 87, An act relative to the restoration of the clam fisheries in New Hampshire, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Clams.* Amend section 63 of chapter 245 of the Revised Laws, as amended by chapter 124 of the Laws of 1943, and by chapter 132 of the Laws of 1945, by striking out said section and inserting in place thereof the following: 63. *Clams: Regulations; Closed Season; Licenses and Permits: Advisory Committee.* The taking of clams within the public waters or flats of New Hampshire is forbidden except Eastman's Slough in Hampton Falls for a period of two years from date of passage of this act, provided, however, that temporary or permanent residents of this state licensed by the fish and game commission shall be permitted to dig one peck of clams per day for personal but not for commercial use in the following places only: Blackwater River, Mill River, Brown's River, Taylor River, Tidewater Mills. Said residents shall be permitted to dig clams in the aforesaid places by the use of clam-digging forks. No clams under two and one-half inches shall be taken from said places. Upon the expiration of said period of two years, the fish and game commission shall establish regulations for the taking of clams, defining daily bag limits and providing for protection of clams during the spawning season. The commission shall require licenses and permits for the taking of clams and shall fix fees therefor.

The governor with the advice and consent of the council shall appoint an advisory committee of three persons from the seacoast region, to recommend programs and policies regarding shore fisheries to the fish and game commission. The advisory committee shall study and recommend the advisability and method for financing a division of coastal fisheries within the fish and game department, together with a study of the desirability of establishment of a state coastal fisheries research station at Hampton Harbor. The advisory committee shall establish an area not to exceed one hundred acres of clam flats for the purpose of the development and propagation of clams, and clam experimentation and research, by the fish and game commission.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, and the amendment laid upon the table under Rule No. 48. To be taken up July 18.

Mr. Putney of Andover, for the Committee on Fish and Game, to whom was referred House Bill No. 332, An act opening Lake Francis in Pittsburg and Clarksville to ice fishing, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

Subject matter covered by biennial hearing of Fish and Game Commission.

The report was accepted, and the resolution of the committee adopted.

Mrs. Cooper of Nashua, for the Committee on Judiciary, to whom was referred Senate Bill No. 89, An act relating to borrowing by municipal corporations, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mrs. Brungot of Berlin, for the Committee on Judiciary, to whom was referred Senate Bill No. 95, An act relative to erection of television power poles and other structures in public highways, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Taken from the Table

House Bill No. 124, An act providing for a salary increase for state employees and officials.

The question being on the amendment as printed in the Journal of July 10.

Mr. Pillsbury of Manchester moved that the bill with accompaning amendment be laid upon the table.

On a *viva voce* vote the motion prevailed.

House Bill No. 138, An act relating to the University of New Hampshire.

The question being on the amendment as printed in the Journal of July 10.

Mr. Sanborn of Wakefield moved that the bill with accompanying amendment be laid upon the table.

On a *viva voce* vote the motion prevailed.

Senate Message

A message sent down from the Honorable Senate, by its clerk, announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 444, An act relative to trustees of Brewster Free Academy.

Amend section 1 of the bill by striking out in the eighth line the word "March" and inserting in place thereof the word, June: further amend by striking out wherever it occurs the word "Wolfeborough" and inserting in place thereof the word, Wolfeboro; further amend by inserting after the word "member" in the twenty-second line the words, Provided, however, that there shall be at all times three members of the board of trustees who are residents of the town of Wolfeboro, so that said section as amended shall read as follows:

1. *Brewster Free Academy.* Amend section 3 of chapter 167 of the Laws of 1887 by striking out said section and inserting in place thereof the following: Sect. 3. The board of trustees shall hereafter be composed of twelve members, four of whom shall be members *ex officio* and seven of whom shall be selected as hereinafter provided. The four *ex officio* members shall be the three trustees under the seventh or re-

siduary clause in the will of John Brewster and a member of the school board of Wolfeboro to be selected from said school board in June of each year by the board of trustees by majority of ballots cast by said board of trustees. The trustees under said will and their several successors in said trust under said will shall each be trustees of the academy so long as they severally remain trustees under said will. The member of said school board of Wolfeboro so selected shall be a trustee for one year from the date of his selection. He may be eligible for selection for a further like term or terms providing he remains a member of said school board of Wolfeboro but shall have no vote in said selection. The remaining eight trustees shall be those elected trustees now serving except for the present trustee who is also principal of the academy. Said seven trustees shall complete the terms for which they have been elected heretofore. Thereafter, as the term of one of said seven elected trustees shall expire each year, at the annual meeting of each year a trustee shall be elected by the board to take the place of the retiring member. Provided, however, that there shall be at all times three members of the board of trustees who are residents of Wolfeboro. The retiring member shall be eligible for re-election but shall have no vote in such election. If a vacancy shall occur among the aforesaid seven trustees, or their successors, or the selected trustee from the school board of said Wolfeboro, the board shall elect or select a trustee to serve for the unexpired balance of the affected term.

The principal of the academy shall be elected by the board of trustees and shall attend meetings of the board of trustees but shall not have a vote therein.

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2. *Application, Present Trustees.* On or before September 1, 1951 the trustees of said academy shall meet to select in the manner hereinbefore provided from the present school board of Wolfeboro a new trustee in lieu of the principal-trustee heretofore elected. Said trustee from said school board of Wolfeboro shall have to serve until the annual meeting of the board of trustees in June of 1952 and thereafter his successor shall be selected as provided in sub-section 1 above.

The provisions as to the residence of said trustees shall be in effect on or before June 30, 1952.

Mr. Hart of Wolfeboro moved that the House non-concur in the Senate amendment, and that a Committee of Conference be appointed.

On a *viva voce* vote the motion prevailed.

The Speaker appointed as members of such committee, on the part of the House, Messrs. McMeekin of Haverhill, Hart of Wolfeboro and Cater of Somersworth.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives.

House Bill No. 335, An act relative to licensing of hawkers and peddlers.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following: 1. *Exceptions.* Amend section 3 of chapter 188 of the Revised Laws by striking out the same and inserting in place thereof the following: 3. *Exceptions.* The provisions of this chapter relating to hawkers and peddlers shall not apply to any person selling the product of his own labor or the labor of his family or the product of his own farm or the one he tills.

2. *State Licenses.* Amend section 8 of chapter 187 of the Revised Laws by striking out the word "fifty" and inserting the word, ten, before the word dollars in the third line thereof, so that said section shall read as follows: 8. *State Licenses.* The Secretary of State, upon compliance with section 4, shall grant special state licenses upon the payment by the applicant of ten dollars for the use of the state as a state license fee, and the person so licensed may do business as a hawker or peddler in any city or town in this state, without further payments.

3. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Foote of Portsmouth the House concurred with the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following joint resolution, sent up from the House of Representatives:

House Joint Resolution No. 3, Joint resolution relative to application of proceeds from sale of certain property at the state prison.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

House Bill No. 309, An act relative to payments by tax collector.

House Bill No. 412, An act naming certain bridges in Lancaster and Bradford.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution sent up from the House of Representatives:

House Bill No. 435, An act to repeal charters of certain corporations.

House Bill No. 439, An act establishing the John G. Winant Memorial Foundation.

House Bill No. 442, An act relative to burial expenses of certain veterans.

House Joint Resolution No. 38, Joint resolution relative to settlement of the Groveton Papers Company's note and mortgage to Coos county.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 105, An act relative to powers of state health officer as to vaccination for school attendance.

Senate Bill No. 100, An act increasing penalties in certain criminal cases and relating to procedure in the supreme court.

Senate Bills Read and Referred

Senate Bill No. 100, An act increasing penalties in certain criminal cases, and relating to procedure in the supreme court.

Read a first and second time, and referred to the Committee on Judiciary.

Senate Bill No. 105, An act relative to powers of state health officers as to vaccination for school attendance.

Read a first and second time, and referred to the Committee on Public Health.

Resolutions

Mr. Charland of Franklin offered the following resolution:

Resolved, That the Merrimack County Delegation, to whom was referred House Bill No. 189, An act relative to voting for county commissioners by districts, be hereby instructed to report said bill to the House Wednesday, July 18, 1951, and that it be made a special order of business for 11:01 A. M. on Wednesday, July 18, 1951.

The question being on the resolution.

(Discussion ensued)

Mr. Charland of Franklin spoke in favor of the resolution.

Messrs. Chandler of Warner, Bunten of Concord and Perkins of Concord, spoke against the resolution.

Mr. Maxwell of Henniker moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the resolution offered by the member from Franklin.

On a *viva voce* vote the resolution was not adopted.

Mr. Charland of Franklin asked for a division.

A division being had, and the Speaker declaring it to be manifestly in the negative, the resolution was not adopted.

Mr. Charland of Franklin demanded the Yeas and Nays, but subsequently withdrew his demand.

Mr. Daniel of Manchester offered the following resolution:

Whereas, we have learned with sorrow of the passing of Arthur E. Moreau of Manchester, and

Whereas, Mr. Moreau has served his city and the state of New Hampshire in various capacities, including three terms as Mayor of the city of Manchester, a member of the Governor's Council, a member of the Manchester Police Commission and as Trustee of the University of New Hampshire, and

Whereas, Mr. Moreau has contributed freely of his time and effort to the commercial, social and community activities and gained a reputation as one of Manchester's first citizens, Now, therefore be it

Resolved, That we, the members of the House of Representatives do hereby pay tribute to the memory of Mr. Moreau and extend our heartfelt sympathy to his family in its bereavement, and be it further

Resolved, That when the House adjourns today it be in respect to his memory, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to the family.

ANSEL N. SANBORN,
Majority Leader

LAURENCE M. PICKETT,
Minority Leader

MICHAEL T. SULLIVAN,
For the Manchester Delegation

JOSEPH H. GEISEL,
JOHN PILLSBURY,
ARTHUR E. THIBODEAU,
PAUL H. DANIEL,
JEREMIAH B. HEALY.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended, business in order at 3:00 o'clock was made in order at the present time, and the third reading of bills were read by their titles only.

Third Readings

House Bill No. 396, An act authorizing an interstate compact relating to flood control of the Connecticut River.

Read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 89, An act relative to borrowing by municipal corporations.

Senate Bill No. 95, An act relative to erection of television power poles and other structures in public highways.

Severally read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Holmes of Amherst at 12:15 o'clock the House adjourned.

TUESDAY, JULY 17, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God, our refuge and our strength; Who art ever ready to hear the prayers of those who put their trust in Thee, graciously hear us as we implore Thee in behalf of thousands in another part of our land, who at this time are suffering the ravages of both fire and water. In their calamity, and the loss of these tangible things that mean so much to them, may they not lose those spiritual qualities that make life worth living. Help us, our God, although we are not beset by fire and flood, to have a right appraisal of that which makes for lasting joy and satisfaction. Remind us always that the temporal things of life may be destroyed, but faith and hope and mercy and kindness and love of Thee and one another abide. Amen.

Leaves of Absence

Messrs. Brunel of Concord and Stackpole of Dover were granted leaves of absence for the week on account of important business.

Messrs Ayotte of Franklin and Erwin of Keene were granted leaves of absence for the day on account of important business.

Messrs. Bass of Peterborough and Dort of Chesterfield were granted leaves of absence for the day on account of illness.

Mr. Griffin of Lincoln was granted leave of absence until further notice on account of illness.

Engrossed Bills Report

Mrs. Shields of Berlin and Mrs. Landers of Keene, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

House Joint Resolution No. 40, Joint resolution in favor of the estates of Benjamin G. Hall, Augustus F. Butman and Thomas H. Burbank.

Senate Bill No. 75, An act to provide for short-form deeds.

Senate Bill No. 99, An act relating to payment of dividends in credit unions.

House Bill No. 309, An act relative to payments by tax collector.

House Bill No. 435, An act to repeal charters of certain corporations.

House Bill No. 438, An act to establish a new apportionment for the assessment of public taxes.

House Bill No. 439, An act establishing the John G. Winant Memorial Foundation.

House Bill No. 442, An act relative to burial expenses of certain veterans.

House Bill No. 412, An act naming certain bridges in Lancaster and Bradford, and relative to a certain recreational road in the town of Hart's Location.

House Bill No. 335, An act relative to licensing of hawkers and peddlers.

House Bill No. 383, An act relative to fees for licenses to hunt or fish, and for guides.

Senate Bill No. 74, An act relating to conversion between state and national banks.

Senate Bill No. 89, An act relative to borrowing by municipal corporations.

Senate Bill No. 95, An act relative to erection of television power poles and other structures in public highways.

House Joint Resolution No. 38, Joint resolution relative to settlement of the Groveton Papers Company's note and mortgage to Coos county.

The report was accepted.

Committee Reports

Mrs. Atwood of Sanbornton, for the Committee on Education, to whom was referred House Bill No. 240 (in new draft), An act relating to cooperative school districts, having considered the same, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out paragraph II and renumbering the ensuing paragraphs in their numerical sequence:

Amend paragraph III of section 2 by striking out the words "administrative unit" in the first line and inserting in place thereof the words, cooperative district, so that said paragraph as amended shall read as follows:

III. Each cooperative district shall have a sufficient number of pupils for the formation of a cooperative school district.

Amend paragraph I of section 4 by inserting after the word "the" in the fifth line the word, proposed, and by striking out the word "shall" in the 22nd line and inserting the word, may, so that said paragraph shall read as follows:

I. Any meeting held for the purpose of organizing a cooperative school district shall be called to order by a qualified voter of the proposed cooperative school district, designated by the board for the purpose. The first order of business shall be the election by a plurality vote of a moderator and of a clerk *pro tem* by ballot, who shall be qualified voters of the proposed district. The affirmative vote of a majority of the qualified voters present and voting shall be required on the adoption of the following resolution: "Resolved that cooperative school district number . . . . (add designation) be organized and a cooperative school district be established to provide for the educational needs and services of . . . . (add one of the following): (a) all elementary school children, (b) all secondary school youth, (c) all elementary and secondary school children." The adoption of this resolution shall be by ballot. If the resolution establishing the cooperative school district of this section is adopted, then the voters shall proceed to organize in accordance with the provisions of this chapter. If at any such meeting the resolutions regarding the establishment of a cooperative school district shall be presented and

shall not be adopted, there shall be no further proceedings at such meeting, except a motion to reconsider the question, and no such meeting shall again be called within six months thereafter. If no meeting shall be called to reconsider the question within two years thereafter or if at any such meeting thereafter called the resolution shall again fail of adoption, the order of the board to which the resolution relates shall be deemed null and void and of no further force or effect. The meeting may be adjourned from time to time by a majority vote of the qualified voters present but no such adjournment shall be for a longer period than ten days. A copy of the minutes of the meeting or meetings duly certified by the clerk shall be filed by him with the board, with each union superintendent in whose jurisdiction such school district, or any part thereof, is then or thereafterward located, and with the town clerk of each town in which any part of said school district is then or thereafterward located.

Amend paragraph II of said section 4 by striking out the words "School Board" in the first line; further amend by inserting after the word "elections" in the ninth line the words, of school board members and the moderator, so that said paragraph as amended shall read as follows: II. Election of Officers. The first cooperative school board shall be elected at the organization meeting. Whether the number of members of the cooperative school board shall be five, seven, or nine shall be determined by the voters at this meeting, before the election takes place. All school board members at this meeting and at subsequent annual district meetings shall be elected so as to insure each school district forming a part of the cooperative school district a member of the cooperative school board. Other members shall be elected at large. The first cooperative school board shall be elected by ballot by majority vote of those qualified voters present and voting. Subsequent elections of school board members and the moderator shall be in accordance with the non-partisan ballot system provided for in sections 112 to 120 of chapter 34 of the Revised Laws, as inserted by chapter 22, Laws of 1943.

Amend the first paragraph of section 5 by inserting after the word "following" in the sixth line the words, Thereafter all cooperative school district officers shall assume office at the beginning of the next fiscal year following their elections, so

that said paragraph as amended shall read as follows: 5. *School Board; Powers and Duties.* The cooperative school board so elected shall organize at once and proceed to assume its responsibilities and duties with respect to the administration and planning of the new cooperative school district which thereupon comes into official existence, provided, however, that the cooperative board shall have no administrative authority as to the schools in the pre-existing districts until July first next following. Thereafter all cooperative school district officers shall assume office at the beginning of the next fiscal year following their election. The cooperative school board shall have the same powers and duties as school boards in school districts as prescribed by chapter 135 of the Revised Laws. Except as provided in this chapter, all the provisions of this chapter or of any other general law relating to or affecting school districts in the state shall apply to cooperative school districts organized as herein provided.

Amend section 6 by striking out the word "assume" in the eleventh line and inserting in place thereof the words, be the agent for; further amend by adding after the word "district" in the twenty-first line the words, Permission to exceed this limit but not in excess of six per cent may be secured from a Board of Investigation as set up under the provisions of sections 4, 5, 6, 7 and 8 of chapter 5 of the laws of 1951; and by striking out all after the word "district" in the thirty-fourth line and inserting in place thereof the words, Permission to exceed this limit but not in excess of four per cent may be secured from a Board of Investigation as set up under the provisions of sections 4, 5, 6, 7 and 8 of chapter 5 of the laws of 1951, so that said section as amended shall read as follows: 6. *Powers and Duties of Cooperative School Districts.* I. Each cooperative school district shall be a body corporate and politic with power to sue and be sued, to acquire, hold and dispose of real and personal property for the use of schools therein, and to make necessary contracts in relation thereto, and have and possess all the powers and be subject to all the liabilities conferred and imposed upon school districts under the provisions of chapter 138 of the Revised Laws. Whenever a cooperative school district assumes all the functions of a local school district, such local district shall continue in existence to July first, next, following its absorption by the co-

operative school district, and thereafter such cooperative school district shall be the agent for the payment of all outstanding just debts and obligations of such pre-existing district.

II. *Power to Borrow Money for Capital Improvements.* Each cooperative school district shall have the power to borrow money and issue its notes or bonds in conformity with the provisions of chapter 72 of the Revised Laws, "Municipal Bonds Statute," provided however that no cooperative school district shall incur debt to an amount exceeding four per cent of the total aggregate assessed valuation of such cooperative school district, and provided further that such debt limit shall be in addition to and exclusive of any outstanding debts of the local districts composing such cooperative school district assumed by such cooperative school district. Permission to exceed this limit, but not in excess of six per cent may be secured from a Board of Investigation as set up under the provisions of sections 4, 5, 6, 7 and 8 of chapter 5 of the Laws of 1951.

III. Whenever only a part of the educational facilities of a local school district are incorporated into a cooperative school district, such local district shall continue in existence and function as previously, and the cooperative school district shall assume only those outstanding debts and obligations of the local district which pertain to the property acquired by the cooperative school district for use by the cooperative school district and in such case no cooperative school district shall incur debt to an amount exceeding two per cent of the total aggregate assessed valuation of such cooperative school district.

Permission to exceed this limit but not in excess of four per cent may be secured from a Board of Investigation as set up under the provisions of sections 4, 5, 6, 7 and 8 of chapter 5 of the Laws of 1951.

Amend section 7 by striking out the word "total" in the fourth line; further amend by inserting after the word "district" in the fifth line the words, at the time of its formation; and by inserting after the word "of" in the sixth line the words, "the ratio of," so that said section as amended shall read as follows: 7. *Apportionment of Costs.* During the first five years after the formation of a cooperative school dis-

trict, each pre-existing district shall pay its share of the cost of all capital improvements, based upon the proportion which its adjusted valuation bears to the total aggregate adjusted valuation of the cooperative school district at the time of its formation. Thereafter, such costs shall be apportioned on the basis of the ratio of the adjusted valuation of the pre-existing district to the total adjusted valuation of the cooperative school district at the time the funds therefor are appropriated.

Amend section 10 by striking out the word "made" in the fourth line and inserting in place thereof the word, credited, so that said section as amended shall read as follows: 10. *Disposal of Property.* Whenever any property of a cooperative school district is disposed of, the proceeds thereof shall be credited to each pre-existing district in the same proportion as the costs of making capital improvements are credited.

Amend section 14 by inserting after the word "time" in the eighth line the word, such, and by adding at the end thereof the words, whenever a cooperative school district assumes all the functions of a pre-existing district, the cooperative board shall also certify to the selectmen the amount to be raised by taxation to meet the outstanding obligations of such pre-existing district including serial notes or bonds of such pre-existing district, so that said section as amended shall read as follows: 14. *Certification of District Taxes.* Within two weeks after the conclusion of any meeting at which money is raised and appropriated, the cooperative school board under the hand of the chairman, certified by the clerk, shall certify in writing to the selectmen of each town wholly or partly included within the cooperative school district the amount of taxes to be raised for educational purposes in each pre-existing school district wholly or partly incorporated in the cooperative school district. The selectmen of each such town shall pay over from time to time such portions of the sums so raised as may reasonably be required by the treasurer of such cooperative school district, but no such payment shall be greater in percentage to the total sum raised by such local district than that of any other local district comprising such cooperative school district. Whenever a cooperative school district assumes all the functions of a pre-existing district, the cooperative board shall also certify to the selectmen the amount to be raised by taxation to meet the

outstanding obligations of such pre-existing district including serial notes or bonds of such pre-existing district.

The report was accepted, and the amendment was laid upon the table under Rule No. 48, to be taken up Thursday, July 19.

Mrs. Landers of Keene, for the Committee on Education, to whom was referred House Bill No. 315, An act relating to equality of educational opportunity, reported the same with the recommendation that the bill be referred to the 1953 legislature.

The question being on the recommendation of the committee.

Mrs. Jackson of Dublin moved that the words, ought to pass, be substituted for the report of the committee.

(Discussion ensued)

Mrs. Jackson of Dublin and Messrs. English of Hancock and Pillsbury of Manchester spoke in favor of the motion.

Messrs. Carter of Cornish and Chandler of Warner spoke against the motion.

On a *viva voce* vote the motion to substitute the words, ought to pass, did not prevail.

Reconsideration

Mr. English of Hancock moved to reconsider the vote whereby the House voted down the motion to substitute.

The question being on the motion to reconsider.

(Discussion ensued)

Messrs. Pickett of Keene and Spaulding of Hudson spoke in favor of the motion.

Mr. Chandler of Warner spoke against the motion.

Mr. Pickett of Keene asked for a division.

A division being had, 159 members having voted in the affirmative, and 144 members having voted in the negative, the motion to reconsider prevailed.

The question being on the motion of Mrs. Jackson to substitute the words, ought to pass.

On a *viva voce* vote the motion did not prevail.

Mr. English of Hancock asked for a division.

A division being had, 148 members having voted in the affirmative, and 167 members having voted in the negative, the motion to substitute did not prevail.

The question being on the recommendation of the committee that the bill be referred to the 1953 legislature.

On a *viva voce* vote the recommendation of the committee was adopted.

Mr. Hambleton of Goffstown, for the Committee on Insurance, to whom was referred House Joint Resolution No. 42, Joint resolution to establish an interim commission to study legislation designed to protect the public from the results of motor vehicle accidents on our highways, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Hambleton of Goffstown, for the Committee on Insurance, to whom was referred House Joint Resolution No. 43, Joint resolution providing for a committee to study ways and means of effecting greater safety on the highways, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted, and the joint resolution ordered to a third reading.

Mr. Brown of Laconia, for the Special Committee consisting of the members from the city of Laconia, to whom was referred House Bill No. 252, An act relative to the election of the city officers of the city of Laconia, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Turner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 345, (in new draft), An act amending the laws affecting the public service commission and persons and companies subject to its jurisdiction, reported the same with the recommendation that the bill ought to pass.

The question being on the report of the committee.

Mr. Pickett of Keene moved that the bill with report pending be laid upon the table, and made a special order for Wednesday, July 18 at 11:01 o'clock.

The question being on the motion of Mr. Pickett of Keene.

(Discussion ensued)

Messrs. Pickett of Keene and Wells of Newton spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mr. Malley of Somersworth, for the Committee on Ways and Means, to whom was referred House Bill No. 62, An act providing for the assessment and collection of a special poll tax for state purposes, having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Ways and Means, to whom was referred House Bill No. 62, An act providing for the assessment and collection of a special poll tax for state purposes, having considered the same and being unable to agree with the majority reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Special Head Tax.* There is hereby levied and assessed in 1951 and 1952 for the use of the state a special head tax of five dollars upon each and every resident of the state, as definied herein, over twenty-one and under seventy years of age.

2. *Resident Defined.* The word "resident" as used herein shall mean a person, whether a citizen or an alien, except paupers and insane persons, who has resided in this state for at least six months next preceding September first in the year in which the tax is assessed.

3. *Time of Payment.* Said head tax shall be assessed upon August 15 in the year 1951 and April 1, 1952 and payable upon demand on or after each of the said dates.

4. *Collection.* The selectmen of towns and assessors of cities shall on or before October first in 1951 and June 1, 1952, make a list of all head taxes by them assessed against resi-

dents of their respective towns and cities and commit the same together with a warrant under their hands and seals to the collector of taxes for such town or city, directing said collector to collect such head taxes on or before December first next following and keep the same in a special account, and monthly, or oftener, pay the same over to the town or city treasurer as the same are collected.

5. *Penalty.* There shall be added to any special head tax not paid in full on or before December first following the assessment thereof the sum of fifty cents which shall be collected with the tax as incident thereto.

6. *Remedies for Collection.* Said special head taxes may be collected by all of the means and methods provided in chapter 80 of the Revised Laws and the provisions of section 3 of chapter 116 of the Revised Laws as amended by chapter 150 of the Laws of 1949 shall apply to the special head tax assessed hereunder.

7. *Husband Liable.* A husband shall be liable for the payment of the special head tax assessed against his wife, if, when it was assessed, they were living together.

8. *Liability of Towns and Cities.* Each town and city shall be liable to the state for all special head taxes dawfully assessed in said town or city and not abated as provided by section 12 hereof.

9. *Payment to the State.* Each town and city shall cause its treasurer to pay over to the state treasurer in the months of January, April, July and October all special head taxes and penalties collected during the preceding three months.

10. *Extents.* The state treasurer shall issue his extent for the amount of all head taxes and penalties which have been collected and not remitted by any town or city as provided above.

11. *Final Payment.* Each town and city shall cause its treasurer in the month of October in the year following the year of assessment to pay over the amount of all unpaid head taxes not lawfully abated for which the town or city is liable. If payment is not made as provided herein then the state treasurer in the following month shall issue his extent therefor and any head taxes with the penalties due thereon thereafter collected shall be retained by the town or city collecting the same.

12. *Abatements.* Selectmen and assessors for good cause shown may abate any special head tax assessed by them or by their predecessors. If the selectmen or assessors shall lawfully abate any special head tax after the final amount for which the town or city is liable has been paid to the state, as hereinbefore provided, then upon request therefor made by such city or town, the state treasurer with the approval of the governor and council shall refund to such city or town the amount of such taxes lawfully abated.

13. *Supplementary Bond of Collector.* Whenever the tax commission deems it necessary, a collector of taxes or town manager may be required to furnish a further and additional bond beyond that required by other provisions of law with sufficient sureties, in such form and amount as the commission may approve. The premiums shall be paid by the state.

14. *Supplies, Bills and Postage.* The tax commission shall prepare and provide to each tax collector without charge uniformly printed tax bills, envelopes, postage, or postal cards, and other supplies, to be completed and used by the tax collector for giving notice of the taxes assessed to each person liable and in keeping the necessary records relating thereto. The expenses incurred by the tax commission in supplying materials and supplemental bonds required hereunder shall be a charge against the funds collected by the state under the provisions hereof.

15. *Exemptions.* All persons on active duty in the armed forces of the United States of America on the date of assessment shall be exempt from payment of the special head tax.

16. *Disposition of Taxes.* All funds received by the state treasurer under the provisions hereof, less costs of collection as provided in section 14, shall be deposited in the general funds of the state.

17. *Takes Effect.* This act shall take effect upon its passage.

L. B. PEEVER,
E. E. CUMMINGS,
THOMAS WATERHOUSE, JR.,
For the Minority of the Committee.

The report was accepted.

Mr. Peever of Salem moved that the report of the minority, ought to pass with amendment, be substituted for the report of the majority, inexpedient to legislate.

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Peever of Salem and Danforth of Manchester spoke in favor of the motion.

Mr. Malley of Somersworth spoke against the motion.

Mr. Scamman of Stratham moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Messrs. Scamman of Stratham, Kearns and Geisel of Manchester, Plumer of Bristol, Rathbone of Exeter and Baron of Claremont, and Mrs. Jackson of Dublin and Mrs. Dondero of Portsmouth spoke in favor of the motion.

Messrs. Skinner of Orford, Sanborn of Wakefield, Randall of Lebanon and Clark of Canaan, and Mrs. Winters of Rochester spoke against the motion.

(Mr. Perkins in Chair)

Messrs. Martel, Donnelly, Sullivan and Kennedy of Manchester spoke in favor of the motion.

Messrs. Cole of Lebanon, Metcalf of Tilton and Brown of Laconia and Mrs. Greene of Concord spoke against the motion.

(Speaker in Chair)

Messrs. Lea of Pembroke, Corbett of Concord, Betley of Manchester and Pickett of Keene spoke in favor of the motion.

Messrs. Jones of Lebanon and Turner of Keene spoke against the motion.

Mr. Proulx of Manchester moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone House Bill No. 62.

Mr. Scamman of Stratham called for a division.

Mr. Geisel of Manchester demanded the yeas and nays and the roll was called with the following result:

Yeas, 181

HILLSBOROUGH COUNTY: Holmes, Wilson, Farwell, Hambleton, Reed, English, Crosby, Sterling, Kennedy of Manchester, Geisel, Connor, Dwyer, Martel, Sweeney, Fitzgerald, Kean, Nolan, Betley, Ellis, Healy of Manchester, Ward 5, Kazakis, Proulx, Shea of Manchester, Casey, Cavanaugh, Clancy, Ecker, Healy of Manchester, Ward 6, Zyla, Downey, Marcoux, Sullivan of Manchester, Constant, Delisle, Kane, Roy of Manchester, Cary, Gagnon, Auger, Getz, Kearns, Roche, Roukey, Lareau, Soucy, Vaillancourt, Chapdelaine, Daniel, Gauthier, Thibodeau, Cannon, Donnelly, Wedick, Falconer, Nelson, Underhill, Boire, Belcourt, Maynard of Nashua, Ward 3, Brosnahan, Cote, Marquis, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Chartrain, Dupont, Ryan, Cormier, Grandmaison, Janelle, Pelletier of Nashua, Ward 8, Bouthillier, Pelletier of Nashua, Ward 9, Barry.

CHESHIRE COUNTY: Burnham, Jackson, Pickett, Walsh, Kershaw, Lang, Aylward.

SULLIVAN COUNTY: Baron of Claremont, Bailey, Perry of Newport.

GRAFTON COUNTY: Plumer, Willey, Crafts, Kelley, Martin of Littleton, Barney, Horner, Gilbert.

COOS COUNTY: Dussault, Hinchey, Moffett, Shields, Desilets, Henderson of Berlin, Sheridan, Sullivan of Berlin, Bouchard, Fontaine, Roy of Berlin, Fraser, Kimball, Simonds, Christopher, Ellingwood, Stinson.

ROCKINGHAM COUNTY: Griffin of Auburn, Hazelton, Clark of Derry, Cushing, Gay, Hepworth, Fecteau, Eldredge, Kendall, Rathbone of Exeter, Bonney, Thurlow, Eastman, Holden of Newington, Labranche of Newmarket, Sewall, Carter of No. Hampton, Dondero, Sukeforth, Dame, Leary, Philbrick, Haigh, Scamman.

STRAFFORD COUNTY: Swain, Marcotte of Dover, Shaheen, Carroll, Flanagan, Caldwell, Lacasse, St. Pierre, Leach, Lagueux, Letourneau, Cater of Somersworth, Malley, Brown of Strafford.

BELKNAP COUNTY: McAllister, Boutin, Osborne, Simoneau, Tilton of Laconia, Ward 3, Tilton of Laconia, Ward 4, O'Shan, Ransom, Smith of Meredith.

CARROLL COUNTY: Morey, Remick.

MERRIMACK COUNTY: Baron of Allenstown, Moore, Marden, Dodge, Ferrin, Loiselle, Corbett, O'Neil of Concord, Blodgett of Concord, Ward 8, Burke, Charland, Beale, DuDevoir, Davis of Hopkinton, Lamson, Lea, Payeur, Ferguson, Young, Powell, Chandler.

Nays, 176

HILLSBOROUGH COUNTY: French of Bedford, Black, Poore, Doonan, Goodwin, Abbott, Cummings of Lyndeborough, Corliss, Pettigrew, Danforth, Pillsbury, Peaslee, Wadleigh, Cooper, Ramsdell, Record, Locke of New Boston, Ashley of New Ipswich, Mailloux, Cummings of Peterborough, French of Weare, Hines.

CHESHIRE COUNTY: Miller of Fitzwilliam, Spofford, Kirk, O'Neil of Keene, Landers, Wheeler, Bennett, Codding, Turner, Sherwin, Worcester, Rhodes, Billings, Ingham of Winchester, Thompson of Winchester.

SULLIVAN COUNTY: Bascom, Frizzell, Angus, Brooks, Converse, Bissonnett, Millar of Claremont, Nahil, Carton, Marcotte of Claremont, Carter of Cornish, Rowell, Vaughan, Pierce, Gamsby, Callum.

GRAFTON COUNTY: Gingras, Chamberlin of Bath, Clarke of Canaan, Avery, Lorden, Grass, Williams, Atkins, Fuller, Holden of Hanover, Chamberlin of Haverhill, McMeekin, Sleeper, Adams, Ashley of Lebanon, Cole, Jones, Randall, Collins of Lisbon, Gardner, Pushee, Burrill, Skinner, Howard, Bell, Huckins, Anderson, Woodward, Sawyer of Woodstock.

COOS COUNTY: Brungot, Rines, Cummings of Colebrook, Gould, Oakes, Emerson, Evans, Means, Hilliard, Placy, Taylor.

ROCKINGHAM COUNTY: Tuttle, Libby, Wastcoat, Darbe, Lindahl, Freeman of East Kingston, Richards, LeComte, Putnam, Merrill, Ring, McNeal, McCaffery, Sheehy, Wells, Pinkham, McDaniel, Colcord, Durell, Foote, Yeaton, Smart, Ingraham of Portsmouth, Bluitte, Waterhouse.

STRAFFORD COUNTY: Chase of Dover, Karkavelas, Felker, Fellows, Crandall, Locke of Dover, Blanchard, Parker, Horne, Smith of New Durham, Rolfe, Dustin, Maxfield, Winters, Studley, Fernald, Green of Rollinsford.

BELKNAP COUNTY: Perkins of Alton, Weeks, Hart of Laconia, Keller, Thompson of Laconia, Brown of Laconia, Matthews, Atwood, Metcalf.

CARROLL COUNTY: Washburn, Benson, Downs, Hill, Nickerson, Lamprey, Moulton, Knox, Hodgdon, Sanborn, Hart of Wolfeboro.

MERRIMACK COUNTY: Ellsworth, Vogel, Tebbetts, Kennedy of Concord, Tobey, Hurd, Perkins of Concord, Saltmarsh, Tilton of Concord, Freeman of Concord, Greene of Concord, Nawn, Sargent, Hadley, Towle, Chase of Franklin, Maxwell, Mason, Milligan, Wilman, Sawyer of Wilmot,

Pairs

Mr. Spaulding of Hudson voting no, paired with Mr. Sawyer of Concord voting yes.

Mr. Spalding of Nashua voting yes, paired with Mr. Brunel of Concord voting no.

Mr. Bass of Peterborough voting yes, paired with Mr. Peever of Salem voting no.

Mr. Dort of Chesterfield voting no, paired with Mr. Stackpole of Dover voting yes.

And the motion to indefinitely postpone House Bill No. 62 prevailed.

Senate Message

A message sent down from the Honorable Senate by its Clerk announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 437, An act relative to fees for registers of deeds.

Amend the title of the bill by striking out the title thereof and inserting in place thereof the following new title: An act authorizing county conventions to supplement the compensation of registers of deeds.

Further amend said bill by striking out all after the enacting clause and inserting in place thereof the following: Section 1. Amend section 16 of chapter 49 of the Revised Laws by striking out the same and inserting in place thereof the following new section: 16. *Supplementary Compensation.* The registers of deeds shall be entitled to receive as compensation the full amount of all fees received by them by virtue of their office, and the county conventions may appropriate additional amounts to be paid quarterly from the county treasury as additional compensation for such registers as do not receive adequate compensation from such fees.

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Willey of Campton the House voted to non-concur in the amendments sent down from the Honorable Senate and asked for a Committee of Conference.

The Speaker appointed as members of such committee, on the part of the House, Messrs. Evans of Lancaster, Willey of Campton and Gilbert of Wentworth.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 386, An act empowering towns and cities to establish a fund for aeronautical purposes.

Amend the paragraph numbered 76-a by inserting after the word "fund" in the eighth line the words, The moneys in each aeronautical fund shall be kept in a separate account and not intermingled with other funds of the municipality, so that said paragraph as amended shall read as follows:

76-a. *Authorization, Use and Transfer of Town Aeronautical Funds.* Towns and cities are hereby authorized to establish an aeronautical fund for the purposes hereinafter set forth. All tolls, charges, rents or other fees collected by towns or cities for the use of the landing area under the provisions of this chapter and all unexpended balances of appropriations for aeronautical purposes shall be paid into said fund. The moneys in each aeronautical fund shall be kept in a separate account and not intermingled with other funds of the muni-

cipality. Said town aeronautical fund shall not lapse and the unexpended balance of said fund shall be carried forward and added to the appropriation for the subsequent year.

Further amend said bill by inserting after the first sentence in the paragraph numbered 76-c the following: The town or city transferring such funds may specify the purpose for which such funds may be expended, so that said paragraph as amended shall read as follows:

76-c. *Transfer of Aeronautical Funds.* Any town may, by vote at the annual meeting, authorize the transfer of any part of its aeronautical fund to the New Hampshire Aeronautics Commission for use for purposes authorized under section 76-b. The town or city transferring such funds may specify the purpose for which such funds may be expended. A city may authorize such transfer by vote of the city councils. Funds so transferred to the commission shall not be subject to the budgetary limitation of section 32 of chapter 306 of the Revised Laws as inserted by section 9, chapter 281, Laws of 1947.

On motion of Mr. Brown of Laconia the House concurred in the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to adopt the report of the Committee of Conference on House Bill No. 383, An act relative to fees for licenses to hunt or fish and for guides.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 142, An act to compel the Boston & Maine Railroad to restore the double track on its line to Boston between Concord and the state line.

House Bill No. 400, An act relative to bonds on public works.

The message further announced that the Senate had passed bills with the following titles and joint resolution with the following caption, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 43, An act increasing salaries of judges and registers of probate.

Senate Bill No. 97, An act relating to investments of savings banks.

Senate Bill No. 104, An act authorizing the transfer of Endicott Rock State Park to the city of Laconia.

Senate Joint Resolution No. 6, Joint resolution creating an interim commission to study financial support of registers of deeds and registers of probate and related matters.

Senate Bills Read and Referred

Senate Bill No. 43, An act increasing salaries of judges and registers of probate.

Read a first and second time and referred to the Committee on Appropriations.

Senate Bill No. 97, An act relating to investments of savings banks.

Read a first and second time and referred to the Committee on Banks.

Senate Bill No. 104, An act authorizing the transfer of Endicott Rock State Park to the City of Laconia.

Read a first and second time and referred to a joint committee consisting of the Committee on Resources, Recreation and Development and the delegation from the city of Laconia.

Senate Joint Resolution No. 6, Joint resolution creating an interim commission to study financial support of registers of deeds and registers of probate and related matters.

Read a first and second time and referred to the Committee on Appropriations.

Resolutions

Mr. Hart of Wolfeboro offered the following resolution:

Whereas, today, July 17, 1951, is the Fiftieth or Golden Wedding Anniversary of Oren V. "Dad" Henderson, Representative from Durham, former Speaker of the House, former member of the Governor's Council, and Representative for several sessions, therefore be it

Resolved, That we extend to "Dad" and his wife our heartiest congratulations on this memorable occasion and our very best wishes for many more years of happy married life, and be it further

Resolved, That the Clerk of the House transmit a copy of these Resolutions to our fellow member, "Dad" Henderson.

On a *viva voce* vote the resolution was adopted.

Mr. Spofford of Jaffrey offered the following resolution:

Whereas, James B. Perry, Representative from Jaffrey, has passed away, and

Whereas, Mr. Perry was a member of the House of Representatives in 1935, 1947 and 1949 and member of the Constitutional Convention in 1948, and has served his community in several capacities, therefore be it

Resolved, That we, the members of the House of Representatives of the New Hampshire Legislature, pay tribute to our fellow member for his service to his community and state, and be it further

Resolved, That we extend our heartfelt sympathy to his wife in her bereavement and that the Clerk of the House transmit to her a copy of these resolutions, and be it further

Resolved, That when the House adjourns today it be in memory of Representative Perry.

On a rising vote the resolution was adopted.

Mr. Brown of Strafford offered the following resolution:

Relative to safety and fire prevention in rural areas of New Hampshire.

Whereas preventable accidents killed seventy rural people in New Hampshire in 1950 and injured hundreds more, and

Whereas preventable fires took the lives of thirteen farm people and caused a total of $4,250,930 loss in property damage; now therefore be it

Resolved by the House of Representatives in General Court convened:

That the State of New Hampshire observe the last full week in July as New Hampshire Farm and Home Safety Week, in order to call the attention of rural people to the necessity of adopting safe practices in their daily living.

On a *viva voce* vote the resolution was adopted.

Mr. Black of Bennington offered the following statement:

Statement of Legislative Intention
Regarding Laws of 1951, c. 121

The deletion of the language "or any official of the state who is receiving an annual salary" from House Bill No. 19 was not intended to deny to such officials the opportunity to

engage in military training activities without loss of pay, whenever their absence from their official duties will not prejudice proper conduct of state affairs. It was considered inexpedient to grant an unqualified right to take military leave to officials whose absence might, in some circumstances, impair the functioning of their departments, and it was considered unnecessary to authorize "with pay" leave since salaried officers are entitled to salary while in office without regard to time spent at their desks. It was the legislative intention that any such official should be permitted to engage in military drill or training, his state salary continuing, unless he, his superiors, or the Governor and Council, determined in any individual case that absence of an official from his state duties was undesirable.

EDWARD C. BLACK,
Chairman, House Military and Veterans' Affairs Committee.

STANLEY M. BROWN,
Chairman, Senate Military and Veterans' Affairs Committee.

On a *viva voce* vote the statement was ordered printed in the journal.

On motion of Mr. Wadleigh of Milford the House adjourned from the morning session.

Afternoon

On motion of Mr. Wadleigh of Milford the rules were suspended to allow the third reading of a joint resolution by its caption only.

Third Readings

House Joint Resolution No. 43, Joint resolution providing for a committee to study ways and means of effecting greater safety on the highways.

Read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Kendall of Exeter at 3:06 o'clock the House adjourned.

WEDNESDAY, JULY 18, 1951

The House met according to adjournment.

Prayer was offered by Rev. Millard Webster, pastor of Community Baptist Church, Sutton, N. H.

Almighty and Eternal God, our Father, Who hast created all things; before Whom the nations rise and fall, yet Who is concerned with even the sparrow's fall, we bow humbly before Thee to thank Thee for our many blessings, and to ask for Thy guidance and wisdom this day in the work of this General Court. We would be mindful of the precious heritage entrusted to us by the fathers, who purchased at great price the freedoms which we now enjoy. We realize that with our great blessings and opportunities, also have come to us great responsibilities. Help us, we pray, to be faithful to our trust with a sensitive conscience.

We would ask Thy blessing and protection on our men and women in our armed services wherever they may be. May our cause in battle always be Thy just cause. In our deliberations of Democracy may we be men with strong conviction in what we believe is right, yet generous and tolerant with those with whom we differ, realizing that Thou art our Father, and we are Thy children. In the Spirit of Christ. Amen.

Leaves of Absence

Messrs. Hambleton of Goffstown, Martel of Manchester and Skinner of Orford were granted leave of absence for the day on account of important business.

Miss Woodward of Waterville was granted leave of absence for the day on account of illness.

Mr. Pelletier of Nashua was granted leave of absence for the remainder of the week on account of important business.

Introduction of Bill

The following bill was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules, House Bill No. 456, An act providing for the continuation of reimbursements to towns and cities as provided by chapter 79-A, Revised Laws. Referred to the Committee on Appropriations.

Engrossed Bills Report

Mrs. Corliss of Manchester, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 132, An act to establish the rights and privileges of officers and employees of the state who enter into the armed forces of the United States.

House Bill No. 331, An act relative to operation of motor vehicles in a grossly careless or grossly negligent manner and relative to suspension of licenses in such cases.

The report was accepted.

Committee Reports

Mrs. Miller of Fitzwilliam, for the Committee on Transportation, to whom was referred House Bill No. 322, An act relative to operation of motor vehicles on highways marked with painted lines, having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by existing legislation.

The report was accepted and the resolution of the committee adopted.

Mrs. Winters of Rochester, for the Committee on Military and Veterans' Affairs, to whom was referred House Bill No. 448, An act authorizing the publication and sale of military records of New Hampshire war veterans, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Taken from Table

Senate Bill No. 87, An act relative to the restoration of the clam fisheries in New Hampshire.

The question being on the amendment offered by the committee, as printed on page 5 of the Journal of Thursday, July 12.

On a *viva voce* vote the amendment was adopted.

Mr. Washburn of Bartlett offered the following amendment:

Amend section 2 by striking out the words "its passage" and inserting in place thereof the words and figures, September first, 1951, so that said section as amended shall read as follows:

2. *Takes Effect.* This act shall take effect upon September first, 1951.

Mr. Washburn of Bartlett spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Kearns of Manchester offered the following amendment:

Amend said bill in last paragraph by including after "three persons" the words, one of whom shall be active commercially in clam digging, so that said paragraph will read: The Governor with the advice and consent of the Council shall appoint an Advisory Committee of three persons, one of whom shall be engaged commercially in the digging of clams, the other two shall be from the Seacoast Region, to recommend programs and policies regard shore fisheries to the Fish and Game Commission . . .

The question being on the amendment.

(Discussion ensued)

Mr. Kearns of Manchester spoke in favor of the amendment.

Mr. Washburn of Bartlett spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Labranche of Newmarket offered the following amendment:

Amend section 1 by inserting after the word "Mills" in the fourteenth line of the amendment as printed in the Journal of July 12, the words, and Great Bay above the pollution line, so that said section as amended shall read as follows: 1. *Clams.* Amend section 63 of chapter 245 of the Revised Laws, as amended by chapter 124 of the Laws of 1943, and by chapter 132 of the Laws of 1945, by striking out said section and inserting in place thereof the following: 63. *Clams, Regulations; Closed Season; Licenses and Permits; Advisory*

Committee. The taking of clams within the public waters or flats of New Hampshire is forbidden except Eastman's Slough in Hampton Falls for a period of two years from date of passage of this act, provided, however, that temporary or permanent residents of this state licensed by the fish and game commission shall be permitted to dig one peck of clams per day for personal but not for commercial use in the following places only: Blackwater River, Mill River, Brown's River, Taylor River, Tidewater Mills and Great Bay above the imaginary line. Upon the expiration of said period of two years, the fish and game commission shall establish regulations for the taking of clams, defining daily bag limits and provided for protection of clams during the spawning season. The commission shall require licenses and permits for the taking of clams and shall fix fees therefor. The governor with the advice and consent of the council shall appoint an advisory committee of three persons from the sea-coast region, to recommend programs and policies regarding shore fisheries to the fish and game commission. The advisory committee shall study and recommend the advisability and method for financing a division of coastal fisheries within the fish and game department, together with a study of the desirability of establishment of a state coastal fisheries research station at Hampton Harbor. The advisory committee shall establish an area not to exceed one hundred acres of clam flats for the purpose of the development and propagation of clams, and clam experimentation and research, by the fish and game commission.

The question being on the amendment.

(Discussion ensued)

Mr. Washburn of Bartlett spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Kearns of Manchester moved that the bill as amended be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Mr. Kearns of Manchester spoke in favor of the motion.

Mr. Washburn of Bartlett spoke against the motion.

On a *viva voce* vote the motion to indefinitely postpone did not prevail.

The bill was then ordered to a third reading.

Special Order

Mr. Pickett of Keene called for the special order, it being:

House Bill No. 345 (in new draft), An act amending the laws affecting the public service commission and persons and companies subject to its jurisdiction.

The question being on the report of the committee, ought to pass.

Mr. Wadleigh of Milford offered the following amendment: Amend said bill by striking out section 8.

Further amend said bill by renumbering sections 9 through 65 to read 8 through 64.

Amend section 2 of chapter 285 of the Revised Laws as inserted by renumbered section 8 of the bill by striking out the words "cooperative marketing association, organized for purposes of rural electrification, or any other business," in lines 14, 15, and 16, so that said section as amended shall read as follows:

2. *Public Utility.* The term public utility shall include every corporation, company, association, joint stock association, partnership and person, their lessees, trustees or receivers appointed by any court, except municipal corporations operating within their corporate limits, owning, operating or managing any railroad or bus line for the common carriage of passengers, or carrying on a public express business over the line of any railroad, any plant or equipment or any part of the same for the conveyance of telephone or telegraph messages or for the manufacture or furnishing of light, heat, power or water for the public, or in the generation, transmission or sale of electricity ultimately sold to the public or owning or operating any toll bridge or toll road, or owning or operating any steam or other power boat engaged in the common carriage of passengers or freight, or owning or operating any pipe line, including pumping stations, storage depots and other facilities, for the transportation, distribution or sale of gas, crude petroleum, refined petroleum products, or combinations thereof, ex-

cept as hereinafter exempted, over which at the date of this act the public utilities commission exercises jurisdiction.

The question being on the amendment.

(Discussion ensued)

Messrs. Wadleigh of Milford, Eastman of Kensington, Tobey of Concord, Bascom of Acworth, and Pickett of Keene spoke in favor of the amendment.

Messrs. Perkins of Concord, Tilton, Ward 4, Laconia, Lamprey of Moultonborough, Wells of Newton, and Mrs. Morey of Hart's Location spoke against the amendment.

Mr. Chandler of Warner moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment offered by Mr. Wadleigh of Milford.

Mr. Wells of Newton called for a division.

A division being had, 112 members having voted in the affirmative, and 184 members having voted in the negative, the amendment was not adopted.

Mr. Pickett of Keene demanded the Yeas and Nays, and the roll was called with the following result:

Yeas, 116

CHESHIRE COUNTY: Maloney, Pickett, Walsh, Lang, Rhodes.

SULLIVAN COUNTY: Bascom, Bailey, Gamsby.

GRAFTON COUNTY: Gingras, Chamberlin of Bath, Willey, Avery, Chamberlin of Haverhill, McMeekin, Howard, Huckins, Barney, Gilbert, Sawyer of Woodstock.

COOS COUNTY: Dussault, Hinchey, Moffett, Shields, Desilets, Henderson of Berlin, Sheridan, Sullivan of Berlin, Fontaine, Roy of Berlin, Gould, Fraser, Stinson.

ROCKINGHAM COUNTY: Libby, Clark of Derry, Fecteau, Richards, Eastman, Sheehy, Labranche of Newmarket, Pinkham, McDaniel, Dondero, Ingraham of Portsmouth.

STRAFFORD COUNTY: Shaheen, Carroll, Flanagan, Cald-

well, Horne, Dustin, Lacasse, St. Pierre, Lagueux, Letourneau, Coffin, Cater of Somersworth, Brown of Strafford.

BELKNAP COUNTY: Simoneau.

CARROLL COUNTY: Downs.

MERRIMACK COUNTY: Ferrin, Corbett, O'Neil of Concord, Sawyer of Concord, Burke, Charland, DuDevoir, Sawyer of Wilmot.

HILLSBOROUGH COUNTY: Doonan, Connor, Dwyer, Fitzgerald, Kean, Nolan, Betley, Healy of Manchester, Ward 5, Kazakis, Proulx, Ecker, Healy of Manchester, Ward 6, Downey, Marcoux, Sullivan of Manchester, Constant, Delisle, Kane, Roy of Manchester, Cary, Kearns, Roukey, Soucy, Vaillancourt, Gauthier, Thibodeau, Cannon, Donnelly, Peaslee, Wadleigh, Cooper, Ramsdell, Boire, Belcourt, Maynard of Nashua, Ward 3, Brosnahan, Marquis, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Dupont, Ryan, Grandmaison, Janelle, Bouthillier, Pelletier of Nashua, Ward 9, Ashley of New Ipswich, Mailloux, Barry, Hines.

Nays, 192

CHESHIRE COUNTY: Jackson, Miller of Fitzwilliam, Walker, Spofford, Kirk, O'Neil of Keene, Landers, Wheeler, Bennett, Erwin, Codding, Turner, Sherwin, Kershaw, Worcester, Billings, Ingham of Winchester, Thompson of Winchester.

SULLIVAN COUNTY: Frizzell, Angus, Brooks, Converse, Bissonnett, Millar of Claremont, Nahil, Carter of Cornish Perry of Newport, Rowell, Vaughan, Pierce, Callum.

GRAFTON COUNTY: Plumer, Clarke of Canaan, Lorden, Grass, Williams, Atkins, Fuller, Holden of Hanover, Adams, Ashley of Lebanon, Cole, Randall, Collins of Lisbon, Gardner, Kelley, Martin of Littleton, Pushee, Burrill, Bell, Horner, Anderson.

COOS COUNTY: Brungot, Rines, Cummings of Colebrook, Oakes, Emerson, Kimball, Evans, Simonds, Means, Ellingwood, Hilliard, Placy.

ROCKINGHAM COUNTY: Griffin of Auburn, Wastcoat, Hazelton, Darbe, Lindahl, Hepworth, Freeman of East Kingston, Kendall, Rathbone of Exeter, LeComte, Bonney, Putnam,

Merrill, Thurlow, McNeil, Hall of Londonderry, McCaffery, Sewall, Wells, Carter of No. Hampton, Colcord, Sukeforth, Durell, Foote, Yeaton, Leary, Smart, Bluitte, Philbrick, Haigh, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Chase of Dover, Marcotte of Dover, Fellows, Crandall, Locke of Dover, Blanchard, Parker, Smith of New Durham, Rolfe, Maxfield, Winters, Studley, Fernald, Leach, Green of Rollinsford.

BELKNAP COUNTY: McAllister, Weeks, Osborne, Hart of Laconia, Tilton of Laconia, Ward 3, Tilton of Laconia, Ward 4, Brown of Laconia, Smith of Meredith, Matthews, Atwood, Metcalf.

CARROLL COUNTY: Washburn, Benson, Hill, Morey, Nickerson, Lamprey, Moulton, Knox, Remick, Hodgdon, Sanborn, Hart of Wolfeboro.

MERRIMACK COUNTY: Moore, Marden, Dodge, Tebbetts, Kennedy of Concord, Hurd, Perkins of Concord, Saltmarsh, Tilton of Concord, Greene of Concord, Blodgett of Concord, Ward 8, Nawn, Sargent, Hadley, Towle, Chase of Franklin, Maxwell, Mason, Davis of Hopkinton, Milligan, Wilman, Lea, Ferguson, Young, Chandler.

HILLSBOROUGH COUNTY: Holmes, Wilson, French of Bedford, Black, Poore, Reed, English, Crosby, Goodwin, Abbott, Spaulding of Hudson, Cummings of Lyndeborough, Corliss, Kennedy of Manchester, Pettigrew, Danforth, Geisel, Pillsbury, Clancy, Gagnon, Auger, Getz, Daniel, Wedick, Nelson, Underhill, Record, Cote, Cormier, Locke of New Boston, Cummings of Peterborough, French of Weare.

And the amendment was not adopted.

The bill was then ordered to a third reading.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 90, An act to amend the unified personnel system for the state.

Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 265, An act relating to the reciprocal enforcement of support, having considered the same, reported the same with the recommendation that the House recede from its position of non-concurrence and concur in the amendment sent down by the Senate.

RAYMOND K. PERKINS,
ANN J. GOODWIN,
DAVID J. BARRY,
Conferees on the Part of the House.

THOMAS B. O'MALLEY,
JAMES A. CLEVELAND,
Conferees on the Part of the Senate.

The question being on report of the Committee of Conference.

On a *viva voce* vote the report of the Committee of Conference was adopted.

Resolutions

Mr. Payeur of Pembroke offered the following resolution:

Whereas the Governor and Council at a meeting held on December 9, 1948 approved the temporary appointment of Dr. Harold E. Hyde as Chief of the Division of Educational Research, and

Whereas this appointment was for the purpose of a study to determine in what manner the sum of two million dollars per annum has been spent by the Department of Education and what goods and/or services were obtained by the expenditure of this money, and

Whereas this report of these expenses has never been made public or submitted to the General Court, and

Whereas we feel that facts contained in this report are public property

Therefore be it Resolved, That the House of Representatives request that the report of Dr. Harold E. Hyde be made available to them for study forthwith.

The resolution was referred to the Committee on Education.

Mr. Moore of Bradford offered the following resolution:

Resolved, That when the House adjourns today it does so in commemoration of the patriotism of Major General John Stark and John Langdon, a former Speaker of this House, as follows: At a special three-day session of the Legislature, July 17, 18, 19, 1777, of which today is the 174th anniversary, the second brigade of the State militia was placed under the command of General Stark and directed to proceed to Bennington, and John Langdon, Speaker of the House, took the floor of this House in joint convention to pledge his personal fortune to finance the costs of the expedition, and thus were set in motion the forces which won a brilliant victory at Bennington, one of the decisive battles of the American Revolution.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended, business in order at 3:00 o'clock was made in order at the present time, and the third reading of bills were read by their titles only.

Third Readings

House Bill No. 345 (in new draft), An act amending the laws affecting the public service commission and persons and companies subject to its jurisdiction.

Read a third time and passed and sent to the Senate for concurrence.

Reconsideration

Mr. Wells of Newton moved that the House reconsider its vote whereby House Bill No. 345 (ine new draft), was passed.

On a *viva voce* vote the motion to reconsider did not prevail.

House Bill No. 448, An act authorizing the publication and sale of military records of New Hampshire war veterans.

Read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 87, An act relative to the restoration of the clam fisheries in New Hampshire.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

Reconsideration

Mr. Washburn of Bartlett moved that the House reconsider its vote whereby Senate Bill No. 87 passed.

On a *viva voce* vote the motion to reconsider did not prevail.

On motion of Mr. Desilets of Berlin at 1:42 o'clock the House adjourned.

THURSDAY, JULY 19, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God, the fountain of wisdom, whose statutes are good and gracious and whose laws are truth; we beseech Thee to guide and bless this Legislature in the remaining days of this session, that it may ordain for the governance of the people of this Commonwealth as shall please Thee, and be to the glory of Thy Name. Give, we beseech Thee, to the members of this body vision, tolerance, and wisdom in the conscientious fulfillment of their duty. May their work be of such as shall be appreciated by the people and approved by Thee. Be Thou with us as Thou wast with our forefathers, and Thy kingdom shall come and Thy will shall be done. Amen.

Leaves of Absence

Messrs. Moulton of Ossipee, Spaulding of Hudson, Hambleton of Goffstown, and Skinner of Orford were granted leaves of absence for the day on account of important business.

Mrs. Woodward of Waterville was granted leave of absence for the day on account of illness.

Committee Reports

Mr. Hepworth of Derry, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 454, An act relative to First Baptist Society in Hampton, New Hampton Literary and Biblical Institution, Nashua Building and Loan or Cooperative Bank, Rye Water District,

Amherst Water Works, and legalizing certain meetings of the towns of Antrim, Lyman, New Durham, Wakefield and Wilmot, and school district meetings in Harrisville, Hillsborough and Lebanon, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass: Amend the bill by inserting after section 14 the following new section:

15. *West Lebanon Village Fire District; Proceedings Legalized.* The votes and proceedings of the West Lebanon Village Fire District held on the tenth day of July, 1951, as a recessed meeting from the annual meeting on the twentieth day of March, 1951, are hereby legalized, ratified and confined.

Further amend by renumbering section 15 to read section 16.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Wedick of Manchester, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 445, An act relative to payment of expenses of forest fires, kindling fires, and penalties for violation of fire laws, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Forest Fires.* Amend section 24 of chapter 233 of the Revised Laws as amended by section 1, chapter 93, Laws of 1949, by adding at the end thereof, the words: The provisions of this section shall not apply to expenses incurred in fighting any forest or brush fire when, as determined by the state forestry and recreation commission, such fire was caused by the negligence of the town or of its agents. Any determination of the forestry and recreation commission under the provisions of the preceding sentence shall be subject to rehearing and appeal as provided in chapter 414 of the Revised Laws, so that said section as amended shall read as follows: 24. *Apportionment.* The expenses of fighting forest and brush fires in towns, and other expenses lawfully incurred by wardens and deputy wardens of said towns in preventing forest fires, shall be borne equally by the municipality and the state, except as otherwise herein provided, and except that

when in any one town or city fiscal year the net total of sums required for the suppression and prevention of forest and brush fires, excluding the initial cost of fire-fighting equipment, to be so borne by such municipality, computed at rates within limits established by the forestry and recreation commission and the state forester, shall equal one-half of one per cent of the latest equalized locally assessed valuation on such municipality, expenses incurred in excess of such sum shall be borne entirely by the state on the basis of the rate limits above specified. The provisions of this section shall not apply to expenses incurred in fighting any forest or brush fire when, as determined by the state forestry and recreation commission, such fire was caused by the negligence of the town or of its agents. Any determination of the forestry and recreation commission under the provisions of the preceding sentence shall be subject to rehearing and appeal as provided in chapter 414 of the Revised Laws.

Amend section 4 of said bill by striking out the words "steam or electric" where they occur in the sixth and the eleventh lines so that said section as amended shall read as follows:

4. *Care of Lumber Slash.* Amend section 50 of chapter 233 of the Revised Laws as amended by chapter 126 of the Laws of 1949 by striking out said section and inserting in place thereof the following: 50. *Near Property of Another.* Whoever cuts, saws or operates, or causes to be cut, sawed or operated any timber, brush, lumber, or wood on property adjacent to the right-of-way of any railroad or public highway, or adjacent to the land of another, or adjacent to any occupied building except temporary lumber camps, shall dispose of the slash and mill waste caused by such cutting, sawing or operating in such manner that said slash and mill waste shall not remain on the ground within sixty feet of the right-of-way of any railroad, or within fifty feet of the nearest edge of the traveled part of any public highway, or within one hundred feet of any occupied building except a temporary lumber camp.

The report was accepted, and the amendment laid upon the table under Rule No. 48, to be taken up Wednesday, July 25.

Mr. Spaulding of Hudson, for the Committee on Public Works, to whom was referred Senate Bill No. 68, An act to authorize housing authorities to undertake projects to assure the availability of dwellings for persons engaged in national-defense activities.

Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *National Defense Housing.* Amend chapter 169 of the Revised Laws by striking out Parts II and III, as inserted by section 5, chapter 286, Laws of 1947, and inserting in place thereof the following:

Part II

1. *Finding and Declaration of Necessity.* It is hereby found that the national defense may involve large increases in military personnel in this state, and in the number of workers in industries and activities; that there may exist or impend shortages of safe and sanitary dwellings available to such persons and their families in communities of the state which impede national defense activities; that it is desirable that action be taken to assure the availability of dwellings for such persons; and that the provisions hereinafter enacted are for the public use and purpose of facilitating national defense.

2. *Authorization.* Any housing authority may undertake the development or administration, or act as agent or lessee for the federal or local government in the development or administration, of projects to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities; provided, that a housing authority shall not initiate the development of any such project pursuant to this part except during a national-defense period as hereinafter defined. In the ownership, development or administration of such projects, a housing authority shall have all the rights, powers, privileges and immunities that such authority has under any provisions of law relating to the ownership, development or administration of slum clearance and housing projects for persons of low income, in the same manner as

though all the provisions of law applicable to slum clearance and housing projects for persons of low income were applicable to projects developed or administered to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities as provided in this part, and housing projects developed or administered hereunder shall constitute "housing projects" under Part I as that term is used therein; provided, that during the national-defense period any project developed or administered by such housing authority (or by any housing authority co-operating with it) in such area pursuant to this part shall not be subject to the provisions of Part I, insofar as said provisions of Part I relate to rentals of, preferences or eligibility for admission to, occupancy of, or eviction from, such project; and provided further that, during such national defense period, payments in lieu of taxes with respect to such projects shall be in an amount at least equal to ten per cent of the shelter rents collected during such period. During periods other than national-defense periods, any such projects owned or administered by a housing authority shall be administered in accordance with said provisions but a housing authority may waive the requirements for occupancy by families of low income to permit occupancy by families of servicemen and by families of veterans or by families displaced by any slum clearance or redevelopment project under the provisions of chapter 210, Laws of 1947, as amended.

3. *Cooperation.* Any municipality, as defined in Part I, shall have the same rights and powers to cooperate with housing authorities, or with the federal government, with respect to the development or administration of projects to assure the availability of safe and sanitary dwellings for persons engaged in national-defense activities or to provide housing for servicemen and returning veterans and their families that such municipality has for the purpose of assisting the development or administration of slum clearance or housing projects for persons of low income.

4. *Bonds Legal Investments.* Bonds or other obligations issued by a housing authority for a project developed or administered pursuant to this part shall be legal investments to the same extent and for the same persons, institutions, associations, corporations, bodies and officers as bonds or other obligations issued pursuant to Part I.

5. *Determination and Referendum.* A housing authority may function upon a determination by the governing body of the municipality (which determination shall be in lieu of any finding required by Part I and shall be conclusive in any suit, action or proceeding) that there exists or impends in the locality a shortage of safe and sanitary dwellings available to persons engaged in national-defense activities. Such determination shall not be conclusive in a city until the local governing body has submitted it to the electorate in such form and manner and at such time as said governing body shall determine, and a majority of the electorate have approved it.

6. *Definitions.* The following terms, whenever used or referred to in this part, shall have the following respective meanings, unless a different meaning clearly appears from the context:

I. "Persons engaged in national-defense activities" shall include: Persons in the military service of the United States; employees of the department of defense; and workers engaged or to be engaged in activities connected with and essential to national defense; and shall include the families of the aforesaid persons, who are living with them.

II. "National-defense period" shall mean the period, as determined by a housing authority (which determination shall be conclusive in any suit, action or proceeding), during which there exists or impends in the locality an acute shortage of safe and sanitary dwellings for persons engaged in national-defense activities.

III. "Development" shall mean any and all undertakings necessary for the planning, land acquisition, demolition, financing, construction or equipment in connection with a project (including the negotiation or award of contracts therefor), and shall include the acquisition of any project (in whole or in part) from the federal government.

IV. "Administration" shall mean any and all undertakings necessary for management, operation or maintenance, in connection with any project, and shall include the leasing of any project, in whole or in part, from the federal government.

V. "Federal Government" shall mean the United States of America or any agency or instrumentality, corporate or otherwise, of the United States of America.

VI. The development of a project shall be deemed to be "initiated" if a housing authority has issued any bonds, notes or other obligations with respect to financing the development of such project of the housing authority, or has contracted with the federal government with respect to the exercise of powers hereunder in the development of such project of the federal government.

VII. "Housing Authority" shall mean any housing authority created or established or hereafter created or established under the provisions of Part I, chapter 169, Revised Laws, as amended.

2. *Takes Effect.* This act shall take effect upon certification by the attorney general to the secretary of state that all contracts, obligations and commitments of the state under said Parts II and III have been discharged.

The report was accepted, the amendment was laid upon the table under Rule No. 48, to be taken up Wednesday, July 25.

Mr. Tilton of Laconia, for the Special Committee consisting of the members from the city of Laconia, to whom was referred House Bill No. 253, An act relative to the city clerk of the city of Laconia, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Brown of Laconia, for the Special Committee consisting of the members from the city of Laconia, to whom was referred House Bill No. 254, An act creating a board of fire commissioners for the city of Laconia, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relating to the city charter of the city of Laconia.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *City of Laconia.* Amend section 8 of chapter 241 of the Laws of 1893 as amended by section 2, chapter 200, Laws of 1901, as amended by chapter 213, Laws of 1903, by striking out said section and inserting in place thereof the following: Sect. 8. Wards 1 and 3, as hereby constituted, at every state

biennial election commencing with the biennial election in 1952 shall choose by ballot and plurality vote one supervisor of check-lists and wards 2, 4, 5 and 6 two such supervisors, and the city council shall also on the Wednesday next following the state biennial election in 1952, and on the Wednesday next following the state biennial election thereafter by ballot and major vote choose one supervisor of check-lists who shall hold office for the term of two years. The persons thus chosen shall constitute the board of supervisors of check-lists of all the wards of the city, and the member chosen by the city council shall be chairman of the board. All vacancies occurring in the board shall be filled by the city council.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Taken from the Table

House Bill No. 240 (in new draft), An act relating to co-operative school districts.

The question being on the amendment as printed in the Journal of July 17.

(Discussion ensued)

Mrs. Atwood of Sanbornton spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill was then ordered to a third reading.

Mr. Bass of Peterborough, for the Committee on Ways and Means, to whom was referred House Bill No. 419, An act to increase certain revenues, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the title of the bill by striking out the same and inserting in place thereof the following: An act relative to the taxation of cigarettes.

Further amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Cigarette Tax.* Amend chapter 79 of the Revised Laws as amended by chapters 6, 133 and 238 of the Laws of

1947 and chapter 187 of the Laws of 1949 and sections 4 and 5 of part 9 of chapter 5 of the Laws of 1950 by striking out the whole of said chapter and inserting in place thereof the following:

Chapter 79

Cigarette Tax

1. *Definitions.* Whenever used in this chapter the following words shall have the meanings set opposite them below:

I. "Commission," the state tax commission.

II. "Person," any individual, firm, fiduciary, partnership, corporation, trust, or association, however formed, and may include a receiver appointed by any court.

III. "Manufacturer," any person in this state engaged in the business of manufacturing cigarettes.

IV. "Licensed manufacturer," a manufacturer licensed hereunder.

V. "Wholesaler," any person in this state having an established regular place of business who purchases his cigarette stock directly from a manufacturer within or without the state who sells all his cigarette stock to sub-jobbers, vending machine operators, or retailers.

VI. "Licensed wholesaler," a wholesaler licensed hereunder.

VII. "Sub-jobber," any person other than a wholesaler having an established regular place of business in this state (a) who shall sell all of his cigarettes to vending machine operators and to retailers, provided, however, that any such person must sell to fifty or more vending machine operators or retailers; or (b) who by the nature of the national character of his business shall be a direct buyer from manufacturers of cigarettes, or (c) who shall operate twenty or more retail stores in this state.

VIII. "Licensed sub-jobber," a sub-jobber licensed hereunder.

IX. "Vending machine operator," any person who owns or operates one or more vending machines installed in premises owned or controlled by a person other than himself and who receives as compensation therefor a part of the proceeds of sales made by such machines or a regular rental fee for the

use thereof, but no person owning or using vending machines in or upon his own premises shall be classified as a vending machine operator hereunder.

X. "Licensed vending machine operator," a vending machine operator licensed hereunder.

XI. "Retailer," any person who sells cigarettes to consumers thereof.

XII. "Licensed retailer," a retailer licensed hereunder.

XIII. "Sale" or "sell," any transfer, whether by bargain, gift, exchange, barter or otherwise.

XIV. "Usual selling price," means the normal retail selling price of cigarettes as determined by the tax commission. In determining the usual selling price the commission shall consider the generally established price of cigarettes at retail stores in this state before such determination, and the wholesaler's price, usual retailer's profit, and advertised prices both within and without the state. Advertised "cut-rate" prices and quantity discounts allowed by retailers shall be evidence that the "usual selling price" is higher than such "sale" or bargain prices.

XV. "Unclassified importers," shall mean any person, firm, corporation, or association within the state other than a licensed manufacturer, wholesaler, sub-jobber, or vending machine operator who shall import, receive, or acquire from without the state cigarettes for use or consumption within the state.

2. *Licenses.* Each manufacturer, wholesaler, sub-jobber, vending machine operator and retailer shall secure a license from the commission before engaging in the business of selling cigarettes in this state or continuing to engage therein. Each wholesaler, sub-jobber and retail outlet shall have a separate license and a separate application shall be made therefor regardless of the fact that one or more outlets may be owned or controlled by a single person. Each cigarette vending machine to be operated in this state shall be licensed by the commission and appropriately identified in such manner as the commission may determine. The commission shall issue a license upon application stating such information necessary to identify the outlet and the character of business transacted, as the commission may require for the proper administration of this chapter. The fees for licenses shall be: twenty-five

dollars for a manufacturer's license; one hundred dollars for a wholesaler's license; fifty dollars for a sub-jobber's license; ten dollars for a vending machine operator's license; and one dollar for a retailer's license, for the purpose of helping to defray the cost of administering this chapter. Each license shall be prominently displayed on the premises described on it. Any person who shall sell, offer for sale or possess with intent to sell any cigarettes without such license as herein provided shall be fined not more than twenty-five dollars for the first offense and not less than twenty-five dollars and not more than two hundred dollars for each subsequent offense. Each unclassified importer shall, before importing, receiving, or acquiring cigarettes from without the state, secure a license from the tax commission. Each application for an unclassified importer's license shall be accompanied by a fee of one dollar. Any unclassified importer who shall import, receive, or acquire from without the state cigarettes for use or consumption within this state without a license as provided in this section shall be punished by a fine of not more than twenty-five dollars for the first offense, and not more than two hundred dollars for each subsequent offense.

3. *Term of Validity of Licenses.* Licenses issued hereunder shall expire on June thirtieth next succeeding the date of issuance, unless sooner revoked or unless the business in respect to which the license was issued shall change ownership. Licenses may be renewed upon signed applications as provided in section 2 and payment of the fees therein prescribed. No person shall cause or permit a cigarette vending machine to be operated in this state unless such machine shall have been licensed by the commission as a retailer and appropriately identified as such in such manner as the commission shall determine.

4. *Revocation of License.* The commission may revoke any license issued hereunder for failure of the holder thereof to comply with any of the provisions of this chapter and any lawful rules and regulations established hereunder.

5. *Tax Imposed.* A tax is hereby imposed at the rate of eighteen per cent upon the value of all cigarettes sold at retail in this state, measured by the usual selling price. The payment of the tax shall be evidenced by affixing stamps to the smallest packages containing cigarettes in which they are

usually sold at retail; but the word "package" as used herein shall not include individual cigarettes; and such stamps shall be affixed in denominations of not less than one-quarter cent to the aggregate value nearest the tax hereby imposed, No tax is imposed on any transaction the taxation of which by this state is prohibited by the Constitution of the United States of America. Each unclassified importer shall within twenty-four hours after receipt of any unstamped cigarettes in this state notify the tax commission of the amount and brands of cigarettes received and the name and address of the consignor. The tax commission, thereupon, shall notify the unclassified importer of the amount of the tax due thereon, at the rate of eighteen per cent of the value thereof. Payment of the amount due the state shall be made within ten days from the mailing date of notice thereof. Any unclassified importer refusing to pay the tax on cigarettes imported by him within ten days after being notified of the amount of said tax by the tax commission, shall be subject to a fine of not less than twenty-five dollars or more than one hundred dollars.

6. *Stock-in-Trade Tax.* The average value for the year of cigarettes carried by a licensed manufacturer, wholesaler, sub-jobber, vending machine operator or retailer shall be deducted from his stock in trade in computing the tax imposed by section 16 of chapter 73 of the Revised Laws, and to that extent he shall be exempt from the tax on stock in trade.

7. *Stamps.* The tax commission shall procure stamps of such design and denomination as it shall prescribe, suitable to be affixed to packages of cigarettes as evidence of the payment of the tax imposed by this chapter. The commission shall sell such stamps to licensed manufacturers, wholesalers, and sub-jobbers at a discount of four and one-half per cent of their face value to encourage manufacturers, wholesalers and sub-jobbers to affix such stamps and compensate them for so doing, and to licensed vending machine operators and retailers at their face value. The commission may in its discretion permit a licensed manufacturer, wholesaler, sub-jobber, vending machine operator, or retailer to pay for such stamps within thirty days after the date of purchase, provided a bond satisfactory to the tax commission in an amount not less than the sale price of such stamps shall have been filed with the commission, conditioned upon the payment for such stamps. The

tax commission shall keep accurate records of all stamps sold to each manufacturer, wholesaler, sub-jobber, vending machine operator, and retailer and shall pay over all receipts from the sale of such stamps to the state treasurer daily.

8. *Metering Machines.* The commission may authorize any licensee hereunder to use a metering machine in lieu of stamps in accordance with such rules and regulations prescribed by it as may be necessary to insure payment of all taxes properly due in accordance with this chapter. The commission shall not permit the use of any such machine until prepayment covering the cost of the tax less the discount, if any, for which the meter is set shall have been made, or unless a bond satisfactory to the commission shall have been filed conditioned upon payment of said amount. Cash may be used as security in place of a surety bond. Each metering machine shall be read and inspected at least once a month, and unless prepayment on account of said machine shall have been made the tax shall be determined at the time of each inspection, and after allowing for the discount, if any, as provided herein it shall become at once due and payable.

9. *Resale and Redemption.* No manufacturer, wholesaler, sub-jobber, vending machine operator, or retailer shall sell or transfer any stamps issued under the provisions hereof. The commission shall redeem any unused, uncancelled stamps presented by a licensed manufacturer, wholesaler, sub-jobber, vending machine operator or retailer, at a price equal to the amount paid therefor by such licensee. In case such stamps are destroyed before affixing the commisssion shall refund the purchase price upon presentation of evidence of such destruction satisfactory to the commission, but no refund shall be made for stamps destroyed after affixing. The state treasurer shall provide, out of the money collected hereunder, the funds necessary for redemption or refund.

10. *Authorized to Affix Stamps.* If the commission shall find that the collection of the tax hereby imposed would be facilitated, it may in its discretion authorize any person resident or located outside this state and engaged in a business which would make such person if he carried it on in this state a manufacturer, wholesaler, sub-jobber, vending machine operator or retailer as defined herein, to affix the stamps required by this chapter on behalf of the purchasers of such cigarettes. The commission may sell stamps to such persons,

or the commission may authorize the use of a metering machine as provided herein. No stamps shall be sold or no such authorization shall issue, however, until such non-resident person shall have appointed the secretary of state his attorney for the service of process in this state in the same manner as provided in chapter 280 of the Revised Laws. Service shall be made on the secretary of state as agent of such person in the same manner as is provided in said chapter. The commission may establish such rules and regulations and impose such conditions upon a grant to a non-resident of authorization to affix such stamps as to it shall seem necessary to insure compliance with the provisions hereof, including the right to inspect the books of such non-resident and the posting of a bond conditioned on the payment of all taxes hereby imposed.

11. *Affixing Stamps.* At any time before packages of cigarettes are transferred out of the possession of a manufacturer, wholesaler, sub-jobber or vending machine operator, he shall affix at the location for which the license is issued, to each individual package of cigarettes sold or distributed by him, stamps of the proper denomination in accordance with the rules and regulations established by the commission. Each retailer shall within twenty-four hours after coming into possession of any package of cigarettes not bearing stamps and before selling the same, affix thereto, at the location for which his license is issued, stamps of the proper denomination in accordance with the rules and regulations established by the commission.

12. *Sale of Unstamped Cigarettes Prohibited.* No manufacturer, wholesaler, sub-jobber or vending machine operator shall sell and no other person shall sell, offer for sale. display for sale, or possess with intent to sell any packages of cigarettes not properly stamped hereunder, provided a licensed retailer may keep on hand at the location for which his license is issued unstamped packages of cigarettes for a period not exceeding twenty-four hours. Any unstamped packages of cigarettes in the possession of a retailer shall be presumed to be held by him for more than twenty-four hours unless proof be shown to the contrary. Any person who shall violate any provision of this section shall be fined not less than two hundred dollars nor more than five hundred dollars, or imprisoned not more than one year, or be both fined and imprisoned.

13. *Exceptions.* No provision hereof shall prohibit the sale of unstamped packages of cigarettes by one licensed manufacturer, wholesaler, or sub-jobber to another licensed manufacturer, wholesaler or sub-jobber.

14. *Forfeiture.* Any packages of cigarettes found at any place in this state without stamps affixed thereto as required herein, unless they shall be in the possession of a licensed manufacturer, wholesaler, sub-jobber or vending machine operator, or unless they shall be in the course of transit from without this state and consigned to a licensed manufacturer, wholesaler, sub-jobber or vending machine operator, or a licensed retailer, or unless they shall have been received by a licensed retailer from without the state within twenty-four hours, or unless they shall have been imported, received, or acquired within twenty-four hours by a licensed unclasiified importer who has notified the tax commission as provided in section five, shall be forfeited. All forfeited goods shall be sold by the director or his agent and the proceeds realized therefrom paid into the general funds of the state.

15. *Fraudulent Stamps.* Any person who shall fraudulently make or utter or shall forge or counterfeit any stamp prescribed by the tax commission under the provisions of this chapter, or who shall cause or procure the same to be done, or who shall wilfully utter, publish, pass, or render as true, any false, altered, forged, or counterfeited stamp, or who shall use more than once any stamp provided for and required by this chapter for the purpose of evading the tax hereby imposed, or who shall tamper with or cause to be tampered with any metering machine authorized to be used under the provisions of this chapter, shall be deemed guilty of a felony, and, upon conviction thereof, shall be imprisoned for not less than one year nor more than ten years.

16. *Taxpayers to Keep Records.* Each manufacturer, wholesaler, sub-jobber, vending machine operator, and retailer shall keep complete and accurate records of all cigarettes manufactured, produced, purchased and sold. Such records shall be of such kind and in such form as the tax commission may prescribe and shall be safely preserved for three years in such manner as to insure permanency and accessibility for inspection by the commission and its authorized agents. The commission and its authorized agents may examine the books,

papers, and records of any manufacturer, wholesaler, sub-jobber, vending machine operator or retailer in this state, for the purpose of determining whether the tax imposed by this chapter has been fully paid, and may investigate and examine the stock of cigarettes in or upon any premises where such cigarettes are possessed, stored or sold, for the purpose of determining whether the provisions of this chapter are being obeyed.

17. *Cigarette Tax Division.* There shall be within the tax commission a cigarette tax division. The commission shall appoint a director and such other assistants as may be necessary subject to state personnel regulations, and within the limits of available appropriations and funds. Before entering upon his duties the director shall execute and file with the secretary of state a bond to the state in such amount and with such sureties as may be deemed sufficient by the board of approval in the same manner as bonds for state officials.

18. *Administration of Chapter.* The administration of this chapter and all duties assigned hereunder to the tax commission may be performed by the director of the cigarette tax division subject to the supervision of the commission and to that end, he shall prescribe all necessary forms and rules and regulations not inconsistent with this chapter to carry into effect the provisions hereof. Subject to the approval of the commission, the director may use the powers vested in it by chapter 82 of the Revised Laws relating to the attendance of witnesses and the conduct of investigations, in the administration of this chapter.

19. *Jurisdiction.* The director of the cigarette tax division of the state tax commission shall have concurrent power to enforce and restrain violations of the provisions of chapter 204 of the Revised Laws, as they apply to the sale of cigarettes. For the purposes of said chapter 204, the purchases of cigarettes by vending machine operators and sub-jobbers shall be deemed purchases by a wholesaler.

20. *Newspaper Advertisements.* No newspaper published in this state shall accept an advertisement from any out-of-the-state cigarette dealer for the sale of cigarettes by mail or express unless there is included in said advertisement the following words: A license must be obtained from the state tax commission to import cigarettes from without the state.

21. *State Tax.* While this chapter remains in effect, no direct state tax shall be levied on the cities and towns.

22. *Constitutionality.* If any provision of this chapter, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of the provisions of the chapter, or the application of such provisions to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

2. *Takes Effect.* This chapter shall take effect on the first day of the second month next following its passage.

The question being on the amendment.

(Discussion ensued)

Messrs. Bass of Peterborough, Kennedy, Geisel, Pillsbury, Kearns of Manchester, Sanborn of Wakefield, and Fernald of Rochester spoke in favor of the amendment.

Mr. Betley of Manchester moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted, and the bill was ordered to a third reading.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 391, An act relative to unexpended balances of amounts appropriated by capital budget chapter 210 of the Laws of 1945 or chapter 294 of the Laws of 1947.

Amendments to House Bill No. 391, An act relative to unexpended balances of amounts appropriated by capital budget chapter 210 of the Laws of 1945 or chapter 294 of the Laws of 1947.

Amend section 1 of the bill by striking out the word and figure "July 1" in line 1 and inserting in place thereof the word and figure, September 1, so that said section as amended shall read as follows: 1. On or before September 1, 1951, in

the event that there are unexpended balances of the amounts appropriated by capital budget chapter 210 of the Laws of 1945 or chapter 294 of the Laws of 1947, the acting director of accounts, subject to the direction and supervision of the comptroller, shall apply or credit such unexpended balances against any overexpended capital budget accounts.

Further amend the bill by inserting in line 1 of section 2 after the figure "2" the word, appropriation, so that said section as amended shall read as follows: 2. *Appropriation.* The sum of $27,000 is hereby appropriated for purposes of offsetting the net overexpended capital budget accounts after application or crediting of the unexpended balances as provided in section 1.

On motion of Mr. Sanborn of Wakefield the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 408, An act relative to taking, transportation and sale of lobsters and lobster meat.

Amend the first paragraph of section 3 of House Bill No. 408 by striking out the sentence commencing in line 13 of said section and reading as follows: "The provisions of this section shall not apply to lobster meat having been processed and sealed within containers which do not require refrigeration." and substituting therefor the following: The provisions of this section shall not apply to lobster meat processed outside the jurisdiction of this state and shipped directly in interstate or foreign commerce to a person, firm, or corporation duly licensed to sell said lobster meat within this state. The burden of proving that lobster meat offered for sale was purchased in interstate or foreign commerce shall be upon the person, firm or corporation selling same, so that said paragraph as amended shall read as follows:

3. *Imported Lobster Meat.* Amend chapter 245 of the Revised Laws by inserting after section 47-a, as inserted by section 9, chapter 12, Laws of 1950, the following new section: 47-b. *Lobster Meat.* No person, firm or corporation shall transport, possess or offer for sale lobster meat from sources outside the jurisdiction of this state unless such meat shall

comply with section 47 of this chapter. The inclusion of any such meat of less than the prescribed legal length within the container, package, receptacle or tray shall subject all such meat included in said container, package, receptacle or tray to be forfeited and the possessor of such meat shall be subject to the penalty imposed for violation of section 47. The provisions of this section shall not apply to lobster meat processed outside the jurisdiction of this state and shipped directly in interstate or foreign commerce to a person, firm or corporation duly licensed to sell said lobster meat within this state. The burden of proving lobster meat offered for sale was purchased in interstate or foreign commerce shall be upon the person, firm or corporation selling same.

Further amend section 7 of the bill by adding after the words "lobster meat" in the fifth line the following words, which has not been processed and sealed within containers which do not require refrigeration, so that said section as amended shall read as follows:

7. *License to Sell.* Amend section 53 of chapter 245 of the Revised Laws by striking out said section and inserting in place thereof the following: 53. *Lobster Meat.* No person except hotels and restaurants serving cooked lobster to guests for immediate consumption as food shall sell lobster meat which has not been processed and sealed within containers which do not require refrigeration without first procuring a license. The director shall issue such license for a period of one year. The annual fee for a resident for such license shall be two dollars and to a non-resident the fee shall be ten dollars.

On motion of Mr. Washburn of Bartlett the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 354, An act ratifying a proposed compact with certain states specified providing for abatement of existing pollution and control of future pollution of interstate waters.

Amend said bill by inserting after the first paragraph in section 1, and immediately preceding the paragraph numbered Article I, the following new paragraphs:

New England Interstate Water Pollution Control Compact

Whereas, the growth of population and the development of the territory of the New England states has resulted in serious pollution of certain interstate streams, ponds and lakes, and of tidal waters ebbing and flowing past the boundaries of two or more states; and

Whereas, such pollution constitutes a menace to the health, welfare and economic prosperity of the people living in such areas; and

Whereas, the abatement of existing pollution and the control of future pollution in the interstate waters of the New England land area are of prime importance to the people and can best be accomplished through the cooperation of the New England states in the establishment of an interstate agency to work with the states in the field of pollution abatement;

Now, Therefore, the states of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont do agree and are bound as follows:

Amend section 3 of said bill by striking out the same and inserting in place thereof the following:

3. *Commissioners.* After the aforesaid compact shall become effective and operative as provided in section 2, the governor with advice and consent of the council, shall designate or appoint five persons to serve as commissioners to the New England Interstate Water Pollution Control Commission, hereinafter called the commission. One of such commissioners shall be an employee of the state department of health, and the other four commissioners shall be appointed from the membership of the New Hampshire water pollution commission, one of whom shall be the chairman of said commission *ex officio*. Said commissioners, except the chairman of the New Hampshire water pollution commission, shall hold office for a term of four years each. Vacancies shall be filled for the remainder of unexpired terms, in the same manner as original appointments are made. The terms of commissioners first appointed shall begin on the date when the compact aforesaid becomes effective and operative in accordance with section 2.

Amend section 4 of said bill by striking out the same and inserting in place thereof the following:

4. *Compensation.* Each commissioner designated or appointed by the governor who, while such commissioner, holds no salaried state office, shall be paid by the state as compensation the sum of thirty dollars for each day's service performed in connection with his duties as such commissioner, but not to exceed six hundred dollars in any fiscal year. All commissioners shall be entitled to their actual expenses incurred in the performance of their duties as such.

On motion of Mr. Grass of Franconia the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to adopt the report of the Committee of Conference on House Bill No. 265, An act relating to the reciprocal enforcement of support.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 92, An act providing for the classification of certain surface waters in the counties of Sullivan and Grafton.

Senate Bill Read and Referred

Senate Bill No. 92, An act providing for the classification of certain surface waters in the counties of Sullivan and Grafton.

Referred to the Committee on Resources, Recreation and Development.

Report of Committee of Conference

The Committee of Conference, to whom was referred House Bill No. 444, An act relative to trustees of Brewster Free Academy, having considered the same, reported the same with the following recommendation:

That the Senate recede from its position in adopting its

amendments, that the House recede from its position of non-concurrence and that the following amendments be adopted:

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Brewster Free Academy.* Amend section 3 of chapter 167 of the Laws of 1887 by striking out said section and inserting in place thereof the following: Sect. 3. The board of trustees shall hereafter be composed of twelve members, four of whom shall be members *ex-officio* and eight of whom shall be selected as hereinafter provided. The four *ex-officio* members shall be the three trustees under the seventh or residuary clause in the will of John Brewster and a member of the school board of Wolfeboro to be selected from said school board in June of each year by the board of trustees by majority of ballots cast by said board of trustees. The trustees under said will and their several successors in said trust under said will shall each be trustees of the academy so long as they severally remain trustees under said will. The member of said school board of Wolfeboro so selected shall be a trustee for one year from the date of his selection. He may be eligible for selection for a further like term or terms providing he remains a member of said school board of Wolfeboro but shall have no vote in said selection. The remaining eight trustees shall be those seven elected trustees now serving except for the present trustee who is also principal of the academy and one additional trustee to be elected by the remaining trustees on or before September 1, 1951. Said seven trustees shall complete the terms for which they have been elected heretofore. Thereafter, as the term of one of the said eight elected trustees shall expire each year, at the annual meeting of each year a trustee shall be elected by the board to take the place of the retiring member. Provided however, that there shall be at all times three members of the board of trustees who are residents of the town of Wolfeboro. The retiring member shall be eligible for re-election but shall have no vote in such election. If a vacancy shall occur among the aforesaid eight trustees or their successors or the selected trustee from the school board of said Wolfeboro, the board shall elect or select a trustee to serve for the unexpired balance of the affected term.

The principal of the academy shall be elected by the board

of trustees and shall attend meetings of the board of trustees but shall not have a vote therein.

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2. *Application, Present Trustees.* On or before September 1, 1951 the trustees of said academy shall meet to select in the manner hereinbefore provided from the present school board of Wolfeboro a new trustee in lieu of the principal-trustee heretofore elected. Said trustee from said school board of Wolfeboro shall serve until the annual meeting of the board of trustees in June of 1952 and thereafter his successor shall be selected as provided in section 1 above. The provisions as to the residence of said trustees shall be in effect on or before June 30, 1952.

THOMAS B. O'MALLEY,
SARA E. OTIS,
Conferees on the Part of the Senate.

NORMAN A. McMEEKIN,
HAROLD H. HART,
LEO H. CATER,
Conferees on the Part of the House.

The question being on the amendment.

On motion of Mr. Hart of Wolfeboro the rules were suspended and further reading of the amendment was dispensed with.

On a *viva voce* vote the amendment was adopted.

The question being on the report of the Committee of Conference.

On a *viva voce* vote the report of the Committee of Conference was adopted.

Concurrent Resolution

Mrs. Winters of Rochester offered the following concurrent resolution:

Memorializing Congress to call a convention for the purpose of considering an amendment to the Constitution of the United States relative to taxes on income, inheritances and gifts.

Whereas, the National Government through the excessive

use of its tax power has greatly encroached upon the tax revenue sources of the several states; and,

Whereas, the very existence of our dual system of government is dependent upon strong and economically sound state governments; and

Whereas, the continued preemption of available tax sources by the federal government will seriously impair the tax structure of the several states thus tending to further centralize the government on a national basis:

Therefore, be it Resolved by the House of Representatives, the Senate concurring, That the Legislature of New Hampshire respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the constitution of the United States:

Article

Section 1. The sixteenth article of amendment to the constitution of the United States is hereby repealed.

Section 2. The congress shall have the power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several states, and without regard to any census or enumeration; provided that in no case shall the maximum rate of tax exceed 25 per cent.

Section 3. The maximum rate of any tax, duty or excise which congress may lay and collect with respect to the devolution or transfer of property, or any interest therein, upon or in contemplation of or intended to take effect in possession or enjoyment at or after death, or by way of gift shall in no case exceed 25 per cent.

Section 4. The limitations upon the rates of said taxes contained in Sections 2 and 3 shall, however, be subject to the qualification that in the event of a war in which the United States is engaged creating a grave national emergency requiring such action to avoid national disaster, the congress by a vote of three-fourths of each house may for a period not exceeding one year increase beyond the limits above prescribed the maximum rate of any such tax upon income subsequently accruing or received or with respect to subsequent devolutions or transfers of property, with like power, while the United States is actively engaged in such war, to repeat such action as often as such emergency may require.

Section 5. Sections 1 and 2 shall take effect at midnight on the 31st day of December following the ratification of this article. Nothing contained in this article shall affect the power of the United States after said date to collect any tax on incomes for any period ending on or prior to said 31st day of December laid in accordance with the terms of any law then in effect.

Section 6. Section 3 shall take effect at midnight on the last day of the sixth month following the ratification of this article. Nothing contained in this article shall affect the power of the United States to collect any tax on any devolution or transfer occurring prior to the taking effect of Section 3, laid in accordance with the terms of any law then in effect.

Be it Further Resolved, That the Congress of the United States be, and it hereby is, requested to provide as the mode of ratification that said amendment shall be valid to all intents and purposes, as part of the constitution of the United States, when ratified by the legislatures of three-fourths of the several states.

Be it Further Resolved, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each member of the Congress from this state.

The concurrent resolution was referred to the Committee on Judiciary.

On motion of Mr. Wadleigh of Milford the rules were suspended, business in order at 3:00 o'clock was made in order at the present time, and the third reading of bills were read by their titles only, and that when the House adjourns today it be to meet Tuesday, July 24 at 11:00 o'clock.

Third Readings

House Bill No. 240 (in new draft), An act relating to cooperative school districts.

House Bill No. 253, An act relative to the city clerk of the city of Laconia.

House Bill No. 254, An act creating a board of fire commissioners for the city of Laconia.

House Bill No. 419, An act to increase certain revenues.

Severally read a third time and passed and sent to the Senate for concurrence.

Reconsideration

Mr. Kennedy of Manchester moved that the House reconsider its vote whereby it passed House Bill No. 419.

On a *viva voce* vote the motion to reconsider did not prevail.

House Bill No. 454, An act relative to First Baptist Society in Hampton, New Hampton Literary and Biblical Institution, Nashua Building and Loan or Cooperative Bank, Rye Water District, Amherst Water Works, and legalizing certain meetings of the towns of Antrim, Lyman, New Durham, Wakefield and Wilmot, and school district meetings in Harrisville, Hillsborough and Lebanon.

Read a third time and passed and sent to the Senate for concurrence.

Reconsideration

Mr. Pillsbury of Manchester moved that the House reconsider its vote whereby it passed House Bill No. 240 (in new draft).

On a *viva voce* vote the motion to reconsider did not prevail.

On motion of Mr. Wilman of Northfield at 12:22 o'clock the House adjourned.

TUESDAY, JULY 24, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

Since it is of Thy will, O gracious Father, that another day is added to our lives and we come to the beginning of another legislative week; help us to unreservedly dedicate ourselves in body and soul to the tasks set before us, that in all of our activities Thy will may be done. We would ask Thee to sanctify all our thoughts and endeavors; that we may neither begin an action without a right intention nor continue it without Thy blessing.

We thank Thee for Thy patience with us, notwithstanding our many and great provocations; for Thy care and watchful providence over us through the whole course of our lives, and Thy mercies and benefits in our endeavors to legislate for the good of our Commonwealth and to the glory of Thy name. Amen.

Leaves of Absence

Miss Horner of Thornton and Mr. Janelle of Nashua were granted leaves of absence for the day on account of important business.

Mr. Scamman of Stratham was granted leave of absence for the day on account of illness.

Mr. Griffin of Lincoln was granted leave of absence for the week on account of illness.

Messrs. Chamberlin of Bath, Loiselle of Concord, and Stackpole of Dover were granted leaves of absence for the week on account of important business.

Engrossed Bills

Mrs. Holmes of Amherst for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 265, An act relating to the reciprocal enforcement of support.

House Bill No. 386, An act empowering towns and cities to establish a fund for aeronautical purposes.

House Bill No. 391, An act relative to unexpended balances of amounts appropriated by capital budget chapters 210 of the Laws of 1945 or chapter 294 of the Laws of 1947.

The report was accepted.

Committee Reports

Mr. Tilton of Laconia for the Committee on Appropriations to whom was referred House Bill No. 455, An act relative to bond for and duties of the state treasurer, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 3 of the bill by adding after the word "comptroller" in the eleventh line the words, who shall certify, so that said section as amended shall read as follows: 3. *Duties of State Treasurer.* Amend section 3 of chapter 22 of

the Revised Laws by striking out said section and inserting in place thereof the following: 3. *Records.* The state treasurer shall provide, at the expense of the state, suitable books in which he shall enter, according to forms approved by the governor and council, clear, detailed and correct records of all sums of money received into and paid from the treasury and of all his other official acts. Insofar as the governor and council shall approve or direct, he shall also record all amounts receivable and payable and other assets and liabilities of the state. He shall not be required to keep separate accounts with each officer of the state nor with each appropriation provided he shall make no payments from any legislative appropriation unless there appear prominently on the manifest therefor a certified statement from the comptroller, who shall certify as to the sum of money which will remain in the appropriation allotment from which the same is to be paid.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Geisel of Manchester, for the Committee on Banks, to whom was referred Senate Bill No. 97, An act relating to investments of savings banks, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Callum of Unity, for the Committee on Public Health, to whom was referred Senate Bill No. 105, An act relative to powers of state health officer as to vaccination for school attendance, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Malley of Somersworth, for the Committee on Ways and Means, to whom was referred House Bill No. 70, An act to produce a tax distribution fund, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of the bill by adding at the end thereof the words, and to provide for certain revenue, so that said title as amended shall read as follows:

An act to produce a tax distribution fund and to provide for certain revenue.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Fund Created.* The net proceeds from the retail sales tax, after deducting all necessary expense of collection, shall be deposited by the state treasurer in a special account to be known as the tax distribution fund.

2. *Identification of Fund.* For the years 1952 and 1953 on March 15, June 15, September 15 and December 15, the state tax commission shall cause to be certified to the state treasurer the gross amounts collected on account of the retail sales tax in the respective quarter-year periods ending the previous January 31, April 30, July 31 and October 31, and the state treasurer shall pass the same to the credit of the tax distribution fund and shall charge the said fund with the costs of collection of the retail sales tax.

3. *Information Concerning Past Revenue from Property Taxes Repealed.* Three months after the passage of this act the tax commission shall certify to the state treasurer (1) the amount of the assessment levied in 1950 in each city and town in this state upon stock in trade under so much of paragraph 1 of section 16 of chapter 73 of the Revised Laws as shall have been repealed, and (2) the amount of the assessment levied in 1950 in each city and town in the state upon live stock heretofore taxed under the provisions of paragraphs IV, V, VI and VII of said section 16 and section 17 of said chapter 73.

4. *Drafts Upon the Fund.* Within thirty days after receipt from the tax commission of each quarterly information certified under the provisions of section 2, the state treasurer shall make a draft upon the tax distribution fund and remit to each city and town in the state in proportion to their several levies as reported under section 3 the net fund on hand, but in such manner that in no tax year shall there be drawn from the fund more than sixty per cent of the net retail sales tax as ascertained under sections 1 and 2 on account of the loss in the stock in trade tax nor more than nine per cent of the net retail sales tax as thus ascertained on account of the loss of its live stock tax. This provision as to percentage limitations is designed to correct inequities that might result from falling price levels during periods of recession.

5. *Disposition of Balance of the Fund.* Within thirty days of the fifteenth day of August following the completion

of each fiscal year on June 30, the state treasurer shall distribute to each city and town the whole balance of the net tax distribution fund as of June 30 remaining after the drafts provided for in section 4. The basis of distribution shall be upon the proportion that the population of the respective cities and towns bears to the total population of the cities and towns of the state, as determined by the last prior decennial enumeration made by the federal government. The state treasurer shall cause this ration to be calculated to two decimal places for each city and town, and upon the several ratios thus ascertained shall cause to be calculated the amounts to be distributed to the several cities and towns. Any small balance that may remain in the fund because of the ratios being calculated to no more than two decimal points shall remain in the fund for distribution as of the next succeeding June 30 with the interim additions to the fund.

Abolition of Certain Taxes

6. *Repeal of Stock-in-Trade Tax.* Amend section 16 of chapter 73 of the Revised Laws, as amended by chapters 82 and 94 of the Laws of 1945, and section 2, chapter 147 of the Laws of 1947, by striking out said section and inserting in place thereof the following: 16. *Personal Estate.* Personal estate liable to be taxed is:

I. Forest Products. Wood, bark, timber, logs, and lumber as hereinbefore defined, if exceeding fifty dollars in value.

II. Commercial Vessels. Fishing vessels, steam boats or other vessels privately owned and navigating the waters of this state for the transportation of passengers or freight, and sea-going vessels, except as provided in section 22 of this chapter.

III. Boats. All boats and launches of every description, in excess of the aggregate value of one hundred dollars, and not included under the preceding paragraph.

IV. Vehicles. Vehicles in excess of the aggregate value of one hundred dollars; provided, however, that motor vehicles, house trailers and all trailers and semi-trailers in connection with a vehicle of the tractor type, and farm tractors shall not be regarded as vehicles.

V. Gas Pumps. Pumps and tanks employed in the distribution and sales of motor vehicle fuels.

VI. Machinery. Road building or repairing machinery and well-drilling machinery.

7. *Repeal of Taxes on Certain Livestock.* Sections 17 and 19 of chapter 73, and sections 26 and 27 of chapter 74 of the Revised Laws are hereby repealed.

8. *Forest Products; to Whom Taxed.* Amend section 11 of chapter 74 of the Revised Laws by striking out the words "stock-in-trade" in the second line so that said section as amended shall read as follows: 11. *Forest Products.* Wood, bark, timber, logs and lumber, manaufactured or unmanufactured, exceeding fifty dollars in value, shall be taxed in the town where it is on April first, to the owner or person having it in his care or custody on that day.

9. *Manner of Taxing Forest Products.* Amend chapter 74 of the Revised Laws by striking out section 15.

Taxes on Certain Sales

10. *Sales Tax.* Amend the Revised Laws by inserting after chapter 79A, as inserted by chapter 295 of the Laws of 1949, the following new chapter:

Chapter 79-B

Sales Tax

1. *Definitions.* The following words, terms and phrases when used in this act have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

(a) "Person" includes any individual, firm, co-partnership, association, society, club, corporation, estate, trust, business trust, receiver, assignee, or any other group or combination acting as a unit, and the plural as well as the singular number, also the state and federal governments and all political subdivisions or agencies of either of them.

(b) "Retail Sale" or "Sale at Retail" means any sale of tangible personal property, in the ordinary course of business, for consumption or use, or for any purpose other than for resale in the form of tangible personal property. The term "retail sale" or "sale at retail" includes conditional sales, installment lease sales, and any other transfer of tangible personal property when the title is retained as security for the payment

of the purchase price and is intended to be transferred later. The term "retail sale" or "sale at retail" does not include an isolated or inconsequential transaction in which any tangible personal property is sold, transferred, offered for sale, or delivered by the owner thereof, or by his representative for the owner's account, such sale, transfer, offer for sale, or delivery not being made in the ordinary course of repeated and successive transactions of a like character by such owner or on his account by his representative. "Retail sale" and "sale at retail" do not include the sale of goods which are to be used or consumed by the purchaser directly in the manufacturing, production, assembling, processing, refining or merchandising of tangible personal property for sale by the purchaser.

(c) "Retailer" means every person engaged in the business of making sales at retail.

(d) "Sale" means any transfer, exchange, or barter, in any manner or by any means whatsoever, for a consideration in the regular course of business and includes leases and contracts payable by rental or license fees for the right of possession and use.

(e) "Business" includes any activity engaged in by any person or caused to be engaged in by him with the object of gain, benefit or advantage, either direct or indirect.

(f) The words "tax commission" or the word "commission" mean the state tax commission.

(g) The words "division of sales tax" or "division" mean the division of the state tax commission established by the provisions of section 10 of this chapter.

(h) The word "director" means the director of the division of sales tax appointed pursuant to section 11 of this chapter.

(i) "Sale Price" means the total amount of the sale or lease or rental price, as the case may be, of a retail sale, including any services that are a part of such sale, valued in money, whether received in money or otherwise, including all receipts, cash, credits and property of any kind or nature other than that traded in or intended for resale and also any amount for which credit is allowed by the seller to the purchaser, without any deduction therefrom on account of the cost of the property sold, the cost of the materials used, labor or service cost, in-

terest paid, losses or any other expenses whatsoever; provided, however, that discounts allowed and taken on sales shall not be included, and "Sale price" shall not include allowances in cash or by credit, or the price of property returned by customers when the full price thereof is refunded in cash or by credit, nor shall "Sale price" include the price received for labor or services used in installing or applying or repairing the property sold, if separately charged or stated.

(j) "Advertisement" means any public announcement of whatever kind or character, and includes any notice or announcement in any radio or television broadcast, newspaper, magazine, catalog, circular, handbill, sign, placard, or any billboard.

(k) "Rules and Regulations" mean those made and promulgated by the State Tax Commission in the administration of this chapter.

(l) "Tangible Personal Property" means personal property which may be seen, weighed, measured, felt, touched, or in any other manner perceived by the senses.

(m) "Storage" includes any keeping or retention in this state for any purpose, except subsequent use outside of this state, of tangible personal property purchased at retail sale.

(1) "Use" includes the exercise in this state of any right or power over tangible personal property incident to its ownership when purchased by the user at retail sale.

(n) "Storage" or "Use" does not include keeping or retention or the exercise of power over tangible personal property brought into this state for the purpose of subsequently transporting it outside of the state, or for the purpose of being used or consumed by the purchaser in the processing, fabrication, manufacture or merchandising of tangible personal property to be transported outside the state and thereafter used solely outside the state.

(o) "Food" shall mean meat, bakery products, vegetables, fruit and dairy products, and the materials entering into the preparation of food for private human consumption, when sold in bulk or containers at retail. The commission shall have the final determination as to what constitutes food within this definition.

2. *Sale Tax.* A tax is hereby imposed at the rate of two

per cent on the value of all tangible personal property, excepting food and drink for human consumption, medicines sold on doctor's prescription, fuel, gas, water and electricity used for household purposes sold at retail in this state on and after November 1, 1951, measured by the sale price, except as in this act provided. Retailers shall pay such tax at the time and in the manner hereinafter provided, and it shall be in addition to all other taxes.

3. *Use Tax.* A tax is hereby imposed on the storage, use, or other consumption, excepting food and drink for human consumption, medicines sold on doctor's prescription and fuel, gas, water and electricity used for household purposes purchased at retail on or after November 1, 1951 at the rate of two per cent of the sale price. Every person so storing, using or otherwise consuming is liable for the tax until he has paid the same or has taken a receipt from his seller thereto duly authorized by the commission, showing that the seller has collected the sale or use tax, in which case the seller shall be liable for it. The commission, under such rules and regulations as it may establish, may authorize any retailer to collect the tax. In addition to the general exemptions provided in this act, the use tax shall not apply to any article of tangible personal property purchased without the state by a resident of this state when the purchase price does not exceed twenty-five dollars and such purchase is for personal use and consumption and not for use in carrying on a trade, occupation, business or profession. Whenever any tangible personal property whose sale or use is subject to tax under this act is required to be registered for use within this state by any other act than this, no registration shall be granted unless the applicant exhibits a receipt for the sale tax or the use tax thereon.

4. *Adding Tax to Sale Price.* Every retailer shall add the sale tax imposed by this chapter or the average equivalent of said tax, to his sale price, except as hereafter provided, and when added the tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. When the sale price shall involve a fraction of a dollar, the tax shall be added to the sale price upon the following schedules:

(a) Upon taxable sales amounting to 39 cents or less, no part of the tax shall be added to the price.

(b) Upon taxable sales amounting to more than 39 cents, but less than 70 cents, the retailer shall add to the sale price the sum of one cent.

(c) Upon taxable sales amounting to more than 69 cents, but less than $1.20, the retailer shall add to the sale price the sum of two cents.

(d) Upon taxable sales amounting to more than $1.19, but less than $1.70, the retailer shall add to the sale price the sum of three cents.

(e) Upon taxable sales amounting to more than $1.69, but less than $2.20, the retailer shall add to the sale price the sum of four cents, and two cents more for every dollar or fraction thereof exceeding $2.19.

(f) When several articles are purchased together and at the same time, the tax may be computed on the total amount of the several items.

(g) Any breakage under the section shall be retained by the retailer as compensation for the collection.

5. *Registration of Sellers.* In order to facilitate the enforcement of this chapter, every seller within the state, whether or not at retail, but excluding casual sellers, shall register with the division annually before November first. Forms for application for registration certificates shall be prescribed and furnished free by the commission. On applying for the registration, the seller shall pay the sum of one dollar towards the expense of administering this chapter for each place of business conducted by him in this state. For each such place the commission shall issue a registration certificate, which shall be conspicuously displayed at the place for which it is issued. No certificate shall be assignable, but it may be used by the legal representatives of a registrant deceased, bankrupt, or insolvent.

6. *Bond.* Where the director, in his discretion, deems it necessary to protect the revenue to be obtained under the provisions of this chapter, he may require any seller to file with him a bond in such amount and with such a surety as may be required by the state tax commission to secure the payment of any tax or penalties due or which may become due from such seller. The seller shall file such bond within five days after the giving of such notice unless within five days the seller requests in writing a hearing before the director

at which hearing the necessity, propriety and amount of the bond shall be determined by the director. Such determination by the director shall be final and shall be complied with within fifteen days after the seller is given notice thereof unless he shall appeal from the decision of the director to the state tax commission within said period of fifteen days and such appeal shall be handled as in the manner provided for an appeal for reassessment under section 28.

7. *Presumption Concerning Sales.* The burden of proof that a sale was not a sale at retail shall be upon the person who makes the sale and the purchaser, unless the person who makes the sale takes from the purchaser a certificate that the purchase was for resale or further manufacture.

8. *Sales Under Contracts Made Prior to Date of the Act.* Sales made subsequent to the effective date of this chapter, pursuant to contracts entered into prior thereto, shall be subject to the tax imposed by this chapter and the retailer shall add the tax and collect it from the purchaser.

9. *Exemptions.* No tax on sales, storage, or use shall be collected upon or in connection with

(a) The sales of gasoline and motor fuels upon which a tax is now imposed by the state, but the tax payable upon such fuels not used by vehicles on the highway shall be deducted from any rebate of the road toll sought by the purchaser.

(b) The sales of tangible personal property which this state is prohibited from taxing under the constitution or laws of the United States or under the constitution of this state.

(c) The sales of tobacco and tobacco products.

(d) The sales of inconsequential nature.

(e) The sales of publications issued at intervals of three months or less.

(f) The sales to non-profit charitable, religious and educational institutions located and incorporated in this state.

(g) The sales to the state or any political subdivision, or to the federal government, or to any agency of either of them.

(h) The sales of food for human consumption as defined in paragraph (o) of section 1 of this act.

(i) The sales of drink for human consumption.

(j) The sales of fuel for household use.

(k) The sales of water, gas and electricity for household use.

10. *Advertising.* It shall be unlawful for any retailer to advertise or hold out or state to the public or to any consumer, directly or indirectly, that the tax or any part thereof imposed by this chapter will be assumed or absorbed by the retailer, or that it will not be added to or included in the selling price of the property sold, or if added or included that it or any part thereof will be refunded. Any person violating any part of the provisions of this section shall be punished as provided in section 34.

11. *Collection of Tax; Report to Commission.* Every retailer shall file with the commission, on or before the fifteenth day of each month, beginning with the fifteenth day of December, 1951, a report made under the pains and penalties of perjury on such form as the commission shall require. The director may permit the filing of returns every three months instead of monthly, if in the administration of this chapter it seems advisable. The commission, by regulation may specify any other reasonable manner of reporting sales and may for good cause extend for not exceeding thirty days the time for making returns required under the provisions of this chapter. Every person subject to the use tax shall file similar reports, at similar dates, and shall pay the tax or furnish a receipt for the same from a registered retailer.

12. *Payment of Tax; Interest.* The taxes imposed by this act shall be due and payable at the time of the sale. Upon such terms and conditions as the commission may prescribe, they may permit a postponement of payment to a date not later than the fifteenth of the third month next following the month in which the sales so taxed were made. Any person who fails to pay any tax imposed by this act, on or before the day when the same shall be required to be paid, shall pay interest on said tax at the rate of one per cent each month or fraction thereof that the same remains unpaid, to be calculated from the date the tax was originally due. All such interest shall be payable to, and recoverable by, the tax commission in the manner as if it were a tax imposed by this chapter. If the failure to pay such tax when required to be paid is explained to the satisfaction of the commission, it may abate or waive the payment of the whole or any part of such interest, and for cause may abate the whole or any part of such tax.

13. *Tax a Debt; Proceedings to Recover; Preference.* The taxes and interest imposed by this chapter, from the time the same shall be due, shall be a personal debt of the retailer or user to the state of New Hampshire, recoverable in any court of competent jurisdiction in an action at law in the name of the state of New Hampshire, and shall have preference in any distribution of the assets of the taxpayer, whether in bankruptcy, insolvency, or otherwise. The proceeds of any judgment obtained hereunder shall be paid to the tax commission.

14. *Sale of Business; Purchaser Liable for Tax.* If any retailer liable for any tax or interest levied hereunder shall sell out his business or stock of goods, or shall quit the business, he shall make a final return and payment within fifteen days after the date of selling or quitting business. His successor, successors, or assignees, if any, shall withhold sufficient of the purchase money to cover the amount of such taxes and interest due and unpaid, until such time as the former owner shall produce a receipt from the director showing that they have been paid, or a certificate stating that no taxes or interest are due. If a purchaser of a business or stock of goods shall fail to withhold purchase money as above provided, he shall be personally liable for the payment of the taxes and interest accrued and unpaid on account of the operation of the business by any former owner, owners, or assignors.

15. *Warrant for Collection of Overdue Taxes.* The tax commission may issue a warrant for the collection of any overdue tax to the tax collector of any town or city or to some deputy of the said commission thereto designated in writing by said commission, who shall have the same remedies and the same fees for collection of such taxes as are provided by law for the collection of property taxes on personal estates. The tax collector or deputy of the commission shall account for all collections made upon such warrants to the director. Provided that if such deputy of the commission is a regular employee of said commission any fees collected hereunder shall be paid to the tax commission.

16. *Overpayment; Refunds.* If the director determines that any tax or interest has been paid more than once, or has been erroneously or illegally collected or computed or has been paid on sales subsequently charged off as bad debts or for

any other reason more tax has been paid than required hereunder the director shall certify to the state treasurer the amount collected in excess of what was legally due, from whom it was collected, or by whom paid, and the same shall be credited by the state treasurer on any taxes then due from the retailer under this act, and the balance shall be refunded to the retailer or user, or his successors, administrators, executors, or assigns, but no such credit or refund shall be allowed after three years from the date of overpayment. The director shall also have the right to cancel or abate any tax which has been illegally levied.

17. *Arbitrary Assessment.* If any person shall fail to make a report as herein required, the director may make an estimate of the taxable liability of such person, from any information they may obtain, and according to such estimate so made by them assess the taxes and interest due the state from such person, give notice of such assessment to the person, and make demand upon him for payment.

18. *Deficiency Assessment.* After a report is filed under the provisions of this chapter, the director shall cause the same to be examined, and may make such further audits or investigations as he may deem necessary, and if therefrom he shall determine that there is a deficiency with respect to the payment of any tax due under this chapter, he shall assess the additional taxes and interest due the state, give notice of such assessment to the person liable, and make demand upon him for payment, but no such additional assessment can be made after two years from the filing of this report.

19. *Jeopardy Assessment.* If the director finds that a person liable for a tax designs quickly to depart from this state or to remove his property therefrom, or to cancel himself or his property, or to discontinue business, or to do any other act tending to prejudice or to render wholly or partially ineffective proceedings to collect such tax, unless such proceedings be brought without delay, he may issue his warrant for the collection of such tax directed to the tax collector of the city or town in which the property is located or to a deputy of the commission who may after making demand on said person liable for an immediate report and payment of such tax distrain a sufficient portion of said person's property to satisfy said tax and sell the same as personal property is

now sold on distraint by a tax collector for the collection of property taxes on personal property.

20. *Administration; Division of Sales Tax.* The commission is hereby authorized and empowered to carry into effect the provisions of this chapter. There shall be within the tax commission a division of sales tax. The commission shall appoint a director subject to its supervision and such other assistants as may be necessary, subject to state personnel regulations and within the limits of available appropriations and funds. The commission may make and enforce such reasonable rules and regulations consistent with this chapter as it deems necessary. Before entering upon his duties, the director shall execute and file with the secretary of state a bond to the state in such amount and with such sureties as may be deemed sufficient by the board of approval in the same manner as bonds for state officials. Subject to the approval of the governor and council, the commission may incur necessary expenses in the administration of this chapter and the governor is hereby authorized to draw his warrant therefor.

21. *Administration Expenses.* The expense of administration of this chapter shall be paid out of any money in the state treasury not otherwise appropriated until registration fees or taxes have been received by the state treasurer hereunder, and thereafter such expense shall be paid out of said registration fees and taxes.

22. *Power to Examine Records and Premises for the Purpose of Administering this Act.* The director, whenever he shall deem it expedient, may make or cause to be made by any employee of the tax commission engaged in the administration of this act, an examination or investigation of the place of business, the tangible personal property, and the books, records, papers, vouchers, accounts and documents of any retailer. It shall be the duty of every retailer and of every director, officer, agent or employee of every retailer to exhibit to the director or to any such employee of the commission, the place of business, the tangible personal property, and all of the books, records, papers, vouchers, accounts and documents of the said retailer, and to facilitate any such examination or investigation so far as it may be in his or their power so to do. It shall be lawful for any member of the commission, or for any employee of the commission by them thereto duly

authorized, to take the oath of any person signing any application, deposition, statement, or report required by the commission in the administration of this act. The provisions of this section shall also apply to any person who, the director has reason to believe, is liable to the payment of a tax under this act.

23. *Power to Conduct Hearings.* The director may conduct hearings, administer oaths to and examine under oath any seller and the directors, officers, agents and employees of any seller and as well all other witnesses relative to the business of such seller in respect to any matter incident to the administration of this act.

24. *Power to Summon Witnesses.* The director shall have the power to compel the attendance of witnesses and the production of any books, records, papers, vouchers, accounts or documents of any retailer or of any person who, he has reason to believe, is liable to the payment of a tax under this chapter or to any person believed to have information pertinent to any matter under investigation by him, to any hearing held pursuant to the provisions of this chapter. The fees of witnesses required to attend any such hearing shall be the same as those allowed to witnesses appearing in the superior court. Such fees shall be paid in the manner provided for the payment of the other expenses incident to the administration of this chapter.

25. *Notices, How Given.* Any notice required to be given by the commission or director pursuant to this chapter to any person may be served personally, or by sending the same by registered mail to the person for whom it is intended, addressed to such person at the address given in the last report filed by him pursuant to the provisions of this chapter, or, if no report has been filed, then to the address of his last known abode; or in the case of other than an individual to the last known address.

26. *Records of Retailers.* Every retailer shall keep such records of his sales in such form as may be prescribed or approved by the director and all records shall be adequate to enable him to determine the tax liability. All such records shall be safely preserved for a period of three years in such manner as to insure their security and accessibility for inspection by the director or by any employees engaged in the administration hereof. The director may consent to the destruction of any such records at any time within said period.

27. *Confidential Character of the Division's Records.* The records and files of the division respecting the administration of this chapter shall be considered confidential and privileged, and neither the director nor any employee engaged in the administration of this chapter or charged with the custody of any such records or files shall divulge or disclose any information obtained from said records or files or from any examination or inspection of the premises or property of any person. Neither the commission nor any employee engaged in the administration of this chapter charged with the custody of any such records or files shall be required to produce any of them for the inspection of any person or for use in any action or proceedings except in behalf of the director, in an action or proceeding under the provisions of this chapter to which the director is a party, or in behalf of any party to any action or proceeding under the provisions of this chapter, when the records or files or the facts shown thereby are directly involved in any such action or proceedings. Nothing herein contained shall be construed to prevent (a) the delivery to a retailer or his duly authorized representative of a copy of any report or any other paper filed by him pursuant to the provisions of this chapter; (b) the publication of statistics so classified as to prevent the identification of a particular report and the items thereof.

28. *Dissolution of Corporations Prohibited until Tax is Paid.* Hereafter no corporation organized under any law of this state shall be dissolved by the action of the stockholders or by the decree of any court until all taxes and interest imposed upon said corporation in accordance with the provisions of this chapter have been fully paid. No certificate of dissolution shall be issued by the secretary of state and no decree of dissolution shall be signed by any court, as the case may be, without a certificate of the director evidencing the payment by the corporation to be dissolved of all taxes and the interest imposed in accordance with the provisions of this act.

29. *Petition for Reassessment.* Any person against whom an assessment shall be made by the director under the provisions of this chapter may petition the commission for a reassessment thereof within fifteen days after service upon the person of notice thereof. If a petition for reassessment is not filed within said fifteen-day period the amount of the as-

sessment becomes final at the expiration thereof. If a petition for reassessment is not filed within said fifteen-day period the commission shall consider the assessment, and if the petitioner has so requested in its petition, shall grant said petitioner an oral hearing, and shall give the petitioner ten days' notice of the time and place thereof. In the investigation of such petition and in the conduct of such hearings the commission may use the powers provided in sections 21, 22 and 23. For cause shown the commission may extend the time for filing such petition.

30. *Appeal.* From the decision upon such petition, an aggrieved petitioner may appeal to the superior court in any county where he has a regular place of business for making sales, or, if he had no such place of business within the state, to the superior court in Merrimack County. But no such appeal shall be entered in any court after the lapse of three months from the day the commission gives notice of its decision on the petition for reassessment, unless the court finds that leave should be granted because of accident, mistake, or misfortune.

31. *Priority of Tax.* Whenever any person liable for any tax levied hereunder is insolvent; whenever any such person makes a voluntary assignment of his assets, whenever the estate of a deceased person liable in the hands of the executors, administrators or heirs is insufficient to pay all the debts due from the deceased, or whenever estate and effects of an absconding, concealed or absent person liable are levied upon by process of law, the tax, together with interest attaching thereto, shall be first settled; provided, however, that this section shall not be construed to give the state a preference over any recorded lien which attached prior to the date when the tax became due.

32. *Penalties.* Any person required to make, render, sign or verify any report as aforesaid who fails to make a return or who makes any false or fraudulent return with intent to defeat or evade the assessment required by law to be made, shall, upon conviction, be fined not less than twenty dollars nor more than five hundred dollars, or imprisoned not more than sixty days, or both; and each such failure to make a return or filing of a false or fraudulent return shall constitute a separate and distinct offense.

33. *Other Penalties.* Any violation of any provision of this chapter for which a penalty is neither prescribed above nor provided by any other applicable statute, shall be punished by a fine of not less than twenty dollars nor more than fifty dollars, or by imprisonment of not less than thirty days, or by both such fine and imprisonment.

34. *Questions of Laws.* The tax commission may, at any time, reserve, certify and transfer to the supreme court for decision any question of law which may arise in connection with the administration of the chapter.

11. *Income Tax Imposed.* Amend the Revised Laws by inserting after Chapter 79-B, as hereinabove inserted, the following new chapter:

Chapter 79-C

Income Tax

1. *Definitions.* As used herein, the following words and phrases shall be held to mean as follows:

(a) "Commission," the state tax commission.

(b) "Fiduciary," every person acting in a fiduciary capacity for any person, estate, or trust and may include a receiver appointed by any court and an assignee for the benefit of creditors.

(c) "Fiscal year," an annual accounting period of twelve months other than a calendar year.

(d) "Taxable year," calendar year or fiscal year or part of a year for which a return is made.

(e) "Manufacturer," a person, firm or corporation who as a business engages in the process or operation of making, producing, assembling, processing or repairing wares or merchandise by hand, machinery, or otherwise for sale or consumption in the usual course of trade.

(f) "Merchant," a person, firm, or corporation who as a business engages in buying and selling goods, wares or merchandise as a storekeeper or shop keeper.

(g) "Director," the director of the income tax division.

(h) "Net income derived from stock in trade," the net income derived from the business of a merchant or manufacturer in which he carries a stock in trade.

(i) "Gross income," the total income received in any taxable year, without any deductions, by a merchant or manufacturer.

(j) "Person," any merchant or manufacturer whether a natural or artificial person and including a fiduciary, trust, estate, co-partnership, association, corporation, Massachusetts trust or a receiver appointed by any court, or an assignee for the benefit of creditors.

2. *Income Tax Imposed.* There is hereby imposed for the use of the state for the fiscal years 1952 and 1953 an annual tax, at the average rate of taxation, as near as may be, existing upon other property throughout the state, excepting polls, savings bank deposits, and property specially taxed, upon the annual net income of merchants and manufacturers derived from stock in trade for the taxable year preceding.

3. *Annual Returns, Payments.* Every merchant and manufacturer shall on or before April first in the years 1952 and 1953 file with the commission upon a form prescribed by the commission a return showing the gross income received, the amount of business costs and expenses and other deductions allowable and the net income derived from stock in trade for the taxable year preceding. At the time of filing said return the tax shown to be due thereon shall be paid to the commission. All money received hereunder shall be paid to the state treasurer to be deposited to the general funds of the state.

4. *Allocation of Income.* If the entire business is transacted within the state then the tax imposed shall be measured by the entire net income from stock in trade. If the business is not transacted wholly within the state and income is derived from business done within and without the state, the tax shall be measured by the net income derived from within the state if that may be fairly ascertained, but if such a division between income received from within and without the state cannot be definitely ascertained then the total net income of said business from within and without the state shall be fairly apportioned so as to allocate to this state a fair and equitable proportion of such total income. In making such allocation the following factors shall be considered and each given equal weight: (a) the percentage of tangible real and personal property used by the taxpayer in the operation of

his business in this state to the total tangible real and personal property employed in his business everywhere; (b) the percentage of the stock in trade employed in its work and operations in this state in proportion to the total amount of stock in trade employed in its work and operations everywhere; (c) the percentage of wages, salaries and other compensation for work, labor and services paid by the taxpayer in this state in proportion to the total amount of such disbursements everywhere. In case this test shall not appear fair and equitable the commission may adopt such test as will be fair and just to all concerned.

5. *Inspection.* Returns of income shall be confidential and open only to the commission, its agents and employees, provided that a properly authorized representative of the United States Department of Internal Revenue may inspect such returns if a reciprocal inspection of New Hampshire returns in that department is permitted to the tax commission or its representatives.

6. *Interest.* If taxes are not paid when due interest at the rate of eight per centum per annum from such date shall be added.

7. *Warrant for Collection.* The tax commission may under the hand of its secretary issue a warrant for the collection of any overdue tax to the collector of taxes of any town or city who shall have the same remedies and the same fees for the collection of such taxes as are provided by law for the collection of taxes on personal estate.

8. *Abatements.* The tax commission may abate all or part of the taxes imposed hereby when good cause for such abatement has been shown to it, but all applications for such abatement shall be filed in writing within one hundred days from the date such taxes are payable.

9. *Appeal.* If the commission refuses or neglects to make an abatement as prayed for, then any party aggrieved by such action may appeal therefrom to the superior court for the county of Merrimack and the court shall have the same jurisdiction as in the case of other petitions for the abatement of taxes.

10. *Repayment.* In the event of the abatement of any tax by the commission or the superior court, the state treasurer upon the certification of the director of the division

of income taxes or the clerk of the superior court shall repay to the taxpayer the amount of any abatement, with interest at six per cent.

11. *Additional Returns or Information.* Whenever the commission or the director has reasonable grounds to believe that any merchant or manufacturer has failed to file a return, or has filed an incorrect return, they may order the taxpayer to file one or more supplementary returns in such form as they may prescribe. Upon receipt of the return or if such return is not filed, upon such information as they may have, they may assess a tax which shall be due and payable as herein provided; provided however the compliance with any lawful order of the commission shall not relieve the taxpayer of any penalty incurred at the time of such order but the commission may in its discretion reduce such penalty as justice may require.

12. *Hearings.* Whenever there is need or occasion therefor, upon its own motion or at the request of the taxpayer the commission may conduct hearings regarding any matter or thing arising hereunder and the commission shall give at least seven days' notice of any such hearing in writing to any person interested, by mail, postage prepaid, addressed to the last known address of such person.

13. *Dissolution of Corporations.* No corporation organized under any law of this state shall be dissolved until all taxes and interest, with any penalties then due, have been paid or the commission certifies that the same have been abated, forgiven or otherwise disposed of.

14. *Administration.* The commission shall have full charge of the administration of this act with full power and authority to make and enforce all reasonable rules and regulations necessary and proper for effectively carrying the same into effect. There shall be within the tax commission a division of income taxes and the commission shall appoint a director thereof, with such other assistants as may be necessary subject to state personnel regulations and within the limits of available appropriations and funds. The director shall execute and file a bond with the secretary of state in such amount and with such corporate sureties as may meet the approval of the board of approval in the same manner as bonds for state officials.

15. *Interpretation and Construction.* The commission is

given full power and authority to interpret and construe the terms and provisions of this act. Questions arising upon an issue of law or upon a statement of facts agreed to by the director and the taxpayer and signed by them may be reserved and transferred by the commission for the determination of the supreme court. In any such case the attorney general shall represent the director who shall be entitled to be heard as well as the taxpayer.

16. *Determination of Net Income.* It is hereby declared that the net income of a merchant or manufacturer derived from stock in trade is the net income derived from the business in which he carries such stock in trade. Every taxpayer shall be allowed to deduct from his gross income any income not attributable to his business, together with all usual business costs and expenses and such other proper deductions as may be allowed by the commission so that only net income which is fairly derived from the business of the taxpayer is subject to the tax imposed hereby.

17. *Penalties.* The violation of any of the terms and provisions of this act, or of any rule or regulation made and promulgated by the commission hereunder, after the same has been published in booklet or pamphlet form for distribution, shall be punished by a fine of not more than five hundred dollars or imprisonment not more than six months, or both.

18. *Questions of Laws.* The tax commission may, at any time, reserve, certify and transfer to the supreme court for decision any question of law which may arise in connection with the administration of this act.

20. *Separability.* If any provision hereof shall be held to be invalid or the application thereof to any person or circumstance shall be held to be illegal, such invalidity and illegality shall not affect the other provisions or application of this act which can be independently given full force and effect.

12. *Takes Effect.* This act shall take effect upon its passage and shall remain in effect until December 31, 1953; and the provisions of chapter 73 and 74 of the Revised Laws as amended, which are in effect at the time of the passage of this act, shall be revived upon the expiration of this act.

The undersigned, a minority of the Committee on Ways and Means, to whom was referred House Bill No. 70, An act to produce a tax distribution fund, having considered the same, and being unable to agree with the majority, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

DENIS F. CASEY,
JOHN J. KEARNS,
SHIRLEY BRUNEL,
For the Committee.

The report was accepted.

Mr. Kearns of Manchester moved that the report of the minority be substituted for the report of the majority.

The question being on the motion to substitute the minority report.

(Discussion ensued)

Mr. Kearns of Manchester spoke in favor of the motion.

Mr. Bass of Peterborough spoke against the motion.

Mr. Ecker of Manchester moved that House Bill No. 70 be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Messrs. Ecker, Martel, Geisel, Kennedy, Daniel and Healy, Ward 6 of Manchester, Baron of Claremont, Gingras of Ashland, Holden of Newington, Lea of Pembroke and Brown of Laconia, Pickett and Turner of Keene spoke in favor of the motion.

Messrs. Rathbone of Exeter, Plumer of Bristol, Fernald of Rochester, Pillsbury of Manchester, Ferguson of Pittsfield, Sanborn of Wakefield, Nelson of Milford and Malley of Somersworth spoke against the motion.

Mr. Hart of Laconia moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

Mr. Geisel of Manchester demanded the Yeas and Nays, and the roll was called with the following result:

Yeas, 228

HILLSBOROUGH COUNTY: French of Bedford, Farwell, Hambleton, Poore, Sterling, Abbott, Corliss, Kennedy of Manchester, Pettigrew, Danforth, Geisel, Dwyer, Martel, Sweeney, Fitzgerald, Kean, Nolan, Betley, Ellis, Healy of Manchester, Ward 5, Kazakis, Shea of Manchester, Casey, Cavanaugh, Clancy, Ecker, Healy of Manchester, Ward 6, Zyla, Downey, Marcoux, Sullivan of Manchester, Constant, Delisle, Kane, Roy of Manchester, Cary, Gagnon, Auger, Getz, Kearns, Roche, Roukey, Lareau, Soucy, Vaillancourt, Daniel, Gauthier, Thibodeau, Cannon, Donnelly, Wedick, Peaslee, Falconer, Wadleigh, Cooper, Ramsdell, Boire, Record, Belcourt, Maynard of Nashua, Ward 3, Brosnahan, Cote, Marquis, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Chartrain, Dupont, Ryan, Cormier, Grandmaison, Pelletier of Nashua, Ward 8, Bouthillier, Pelletier of Nashua, Ward 9, French of Weare, Barry.

CHESHIRE COUNTY: Miller of Fitzwilliam, Maloney, Walker, O'Neil of Keene, Landers, Erwin, Codding, Turner, Pickett, Walsh, Worcester, Lang, Aylward, Thompson of Winchester.

SULLIVAN COUNTY: Angus, Converse, Bissonett, Millar of Claremont, Nahil, Baron of Claremont, Carton, Marcotte of Claremont, Bailey, Rowell, Vaughan, Pierce, Callum.

GRAFTON COUNTY: Gingras, Avery, Lorden, Williams, McMeekin, Sleeper, Ashley of Lebanon, Cole, Jones, Randall, Gardner, Martin of Littleton, Burrill, Bell, Huckins, Gilbert.

COOS COUNTY: Dussault, Hinchey, Moffett, Shields, Desilets, Henderson of Berlin, Sheridan, Sullivan of Berlin, Bouchard, Fontaine, Laforce, Roy of Berlin, Rines, Cummings of Colebrook, Oakes, Fraser, Means, Hilliard, Placy, Taylor.

ROCKINGHAM COUNTY: Libby, Wastcoat, Clark of Derry, Cushing, Gay, Hepworth, Fecteau, Kendall, Putnam, Ring, Eastman, Sheehy, Holden of Newington, Labranche of Newmarket, Sewall, Carter of No. Hampton, Pinkham, Dondero, Durell, Yeaton, Dame, Leary, Smart, Ingraham of Portsmouth, Haigh, Durkee.

STRAFFORD COUNTY: Marcotte of Dover, Shaheen, Felker, Carroll, Flanagan, Parker, Caldwell, Horne, Rolfe, Dustin, Maxfield, Winters, Lacasse, St. Pierre, Studley, Green of Rollinsford.

BELKNAP COUNTY: Perkins of Alton, McAllister, Osborne, Simoneau, Tilton of Laconia, Ward 3, Keller, O'Shan, Thompson of Laconia, Brown of Laconia, Smith of Meredith, Matthews, Metcalf.

CARROLL COUNTY: Washburn, Benson, Hill, Hodgdon.

MERRIMACK COUNTY: Baron of Allenstown, Putney, Moore, Marden, Dodge, Ferrin, Corbett, O'Neil of Concord, Saltmarsh, Bunten, Greene of Concord, Blodgett, Nawn, Sawyer of Concord, Sargent, Hadley, Chase of Franklin, Burke, Ayotte, Charland, Maxwell, Mason, DuDevoir, Smith of Loudon, Lamson, Wilman, Lea, Payeur, Chandler, Sawyer of Wilmot.

Nays, 118

HILLSBOROUGH COUNTY: Holmes, Wilson, Black, Reed, Doonan, English, Crosby, Goodwin, Pillsbury, Nelson, Underhill, Locke of New Boston, Ashley of New Ipswich, Mailloux, Bass, Cummings of Peterborough, Hines.

CHESHIRE COUNTY: Jackson, Spofford, Kirk, Wheeler, Bennett, Sherwin, Kershaw, Billings, Ingham of Winchester.

SULLIVAN COUNTY: Bascom, Frizzell, Brooks, Carter of Cornish, Perry, Gamsby.

GRAFTON COUNTY: Plumer, Willey, Clarke of Canaan, Grass, Atkins, Fuller, Holden of Hanover, Chamberlin of Haverhill, Adams, Collins of Lisbon, Kelley, Pushee, Skinner, Howard, Barney, Woodward, Sawyer of Woodstock.

COOS COUNTY: Gould, Emerson, Malloy, Kimball, Evans, Simonds, Christopher, Ellingwood, Stinson.

ROCKINGHAM COUNTY: Tuttle, Griffin of Auburn, Hazelton, Darbe, Lindahl, Freeman of East Kingston, Rathbone of Exeter, Richards, LeComte, Bonney, Thurlow, McNeil, McCaffery, Wells, McDaniel, Colcord, Sukeforth, Foote, Bluitte, Philbrick, Waterhouse.

STRAFFORD COUNTY: Swain, Chase of Dover, Fellows, Crandall, Locke of Dover, Blanchard, Smith of New Durham, Fernald, Leach, Lagueux, Letourneau, Cater of Somersworth, Malley, Brown of Strafford.

BELKNAP COUNTY: Weeks, Hart of Laconia, Tilton of Laconia, Ward 4, Ransom, Atwood.

CARROLL COUNTY: Downs, Morey, Nickerson, Lamprey, Moulton, Knox, Remick, Sanborn, Hart of Wolfeboro.

MERRIMACK COUNTY: Vogel, Kennedy of Concord, Hurd, Perkins of Concord, Tilton of Concord, Towle, Davis of Hopkinton, Milligan, Ferguson, Young, Powell.

Pairs

Mr. Spaulding of Hudson voting No, paired with Mr. Connor of Manchester voting Yes.

Mr. Chapdelaine of Manchester voting Yes, paired with Mr. Dort of Chesterfield voting No.

Mr. Janelle of Nashua voting Yes, paired with Mr. Boutin of Belmont voting No.

Mr. Rhodes of Walpole voting No, paired with Mr. Brunel of Concord voting Yes.

Mr. Harrington of Bethlehem voting No, paired with Mrs. Brungot of Berlin voting Yes.

Mr. Merrill of Hampton voting Yes, paired with Mr. Scamman of Stratham voting No.

Mr. Tebbetts of Concord voting No, paired with Mr. Loiselle of Concord voting Yes.

Mr. Tobey of Concord voting No, paired with Mr. Beale of Hooksett voting Yes.

And the motion to indefinitely postpone prevailed.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 165, An act relating to setting traps.

Amend said bill by striking out the words, "natural pond," in line 5, section 1, and inserting in place thereof the words, any body of water. Further amend said section by adding in line 8 after the word, "Winnipesaukee," the words, and their navigable tributaries, so that said section as amended shall read as follows: 1. *Trapping.* Amend section 12 of chapter 244 of the Revised Laws by striking out said section and inserting in place thereof the following: 12. *Setting Traps.* No person shall set or arrange any trap upon any land of which he is not the owner or occupant, except such traps as may be placed under water from a boat or canoe on any body of water of over ten acres or on the following named rivers: Androscoggin, Ammonoosuc, Ashuelot, Bear Camp, Contoocook, Connecticut, Cocheco, Mascoma, Merrimack, Merrymeeting, Isinglass, Pemigewassett, Pine, Saco, Soucook, Suncook, and Winnipesaukee and their navigable tributaries until he has secured from the owner or occupant a permit in writing signed by said owner or occupant, and until he shall have filed with the conservation officer in whose district said person is going to trap, a copy thereof, together with a description of the land on which trapping is to be done. All metal traps shall have stamped or engraved thereon, in a legible and permanent manner, the name of the person setting them. No person shall set or arrange any trap in a public way, cart road, or path, commonly used as a passageway by human beings or domestic animals. No person shall set or arrange any trap in or under any bridge, ditch or drainage system, whether artificial or natural, within the limits of the right of way of any public highway.

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Moore of Bradford the House concurred in the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 423. An act relative to subversive activities.

Amend section 3 of the bill by striking out in line one the word and figure, "June 1," and in line two the word and figure, September 1, and substitute in place thereof the words and figures, August 1 and, September 1, so that said section as amended shall read as follows: 3. *Penalty.* It shall

be a felony for any person after August 1, 1951 to become, or after September 1, 1951 to remain a member of a subversive organization or a foreign organization knowing said organization to be a subversive organization or foreign subversive organization. Any person who shall be convicted by a court of competent jurisdiction of violating this section shall be fined not more than five thousand dollars, or imprisoned for not more than five years, or both, at the discretion of the court.

Further amend the bill by striking out in section five, line one, the word and figure, "June 1," and substituting in place thereof the word and figure, August 1, so that said section as amended shall read as follows: 5. *Takes Effect.* This act shall take effect August 1, 1951.

Further amend the bill by striking out in section 17 subsection 4 and renumbering sub-section 5 to read sub-section 4.

On motion of Mr. Jones of Lebanon the House concurred in the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 403, An act relative to fees for testing and sealing weighing and measuring devices and inspectors and city sealers.

Amend said bill by adding after the word "law" in line five of section 6 the following new sentence: Nothing in this chapter, 192, shall apply to the professional and technical equipment of weighing and measuring devices used in pharmacies licensed by the commission of pharmacy and practical chemistry of the State of New Hampshire, so that said section as amended shall read as follows: 6. *Public Weighers.* Amend chapter 192 of the Revised Laws by inserting after section 44 the following new section: 44-a. *Procedure.* The procedure to be followed by such weighers in the discharge of their duties shall be as provided by regulations issued by the commissioner of agriculture except as otherwise provided by law. Nothing in this chapter, 192, shall apply to the professional and technical equipment of weighing and measuring devices used in pharmacies licensed by the commission of pharmacy and practical chemistry of the State of New Hampshire.

On motion of Mr. Bass of Peterborough the House concurred in the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives.

House Bill No. 345 (in new draft), An act amending the laws affecting the public service commission and persons and companies subject to its jurisdiction.

The message also announced that the Senate had voted to adopt the report of the Committee of Conference on House Bill No. 444, An act relative to trustees of Brewster Free Academy.

Report of Committee of Conference

The Committee of Conference, to whom was referred House Bill No. 425, An act relative to liability under insurance policies issued to the state and municipal subdivisions thereof, having considered the same, reported the same with the following recommendation:

That the House recede from its position of non-concurrence and concur in the amendment sent down by the Senate.

GEORGE W. TARLSON,
FRED G. HAYES, JR.,
Conferees on the Part of the Senate.

NORMAN A. McMEEKIN,
R. WAYNE CROSBY,
CHARLES GRIFFIN,
Conferees on the Part of the House.

On a *viva voce* vote the report of the Committee of Conference was adopted.

Report of Committee of Conference

The Committee of Conference to whom was referred House Bill No. 168, An act to implement civil defense powers, having considered the same, recommend that the House recede from its position of non-concurrence in the amendments to said bill adopted by the Senate and concur in the adoption of the amendments proposed by the Senate, and further recommend

that the Senate and House concur in the adoption of the following amendment to said bill.

Amend said bill by inserting after section 3 the following new section:

4. *Adjutant General.* Amend chapter 14-A of the Revised Laws, as inserted by chapter 21, Laws of 1943, by inserting after section 7 the following new section: 7-a. *Purchase of Equipment and Supplies for Military Defense Purposes.* Whenever in the opinion of the adjutant general the military security of the state would be endangered by compliance with sections 5 to 7, inclusive, of this chapter, in the purchase of specific equipment and supplies to be used or required for the military defense of the state, the governor may authorize the adjutant general to negotiate for the purchase of such supplies from any manufacturer, or supplier thereof, upon such terms as may be deemed most advantageous to the state.

Further amend said bill by renumbering section 4 to read section 5.

RAOUL J. LALUMIERE,
CHARLES F. HARTNETT,
Conferees on the Part of the Senate.

ROBERT P. TILTON,
EDWARD C. BLACK,
NORMAND R. PELLETIER,
Conferees on the Part of the House.

On a *viva voce* vote the report of the Committee of Conference was adopted.

Resolutions

Mr. Hart of Wolfeboro offered the following resolution:

Whereas, John D. McHugh, Representative from Wolfeboro is ill in Baker Memorial Hospital, therefore be it

Resolved, That we, the members of the House of Representatives, extend to our fellow member our sympathy in his illness and our best wishes for a speedy recovery to health, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Representative McHugh.

On a *viva voce* vote the resolution was adopted.

Mr. Nelson of Milford offered the following resolution:

Whereas, we have learned of the illness of Charles Griffin, Representative from Lincoln, therefore be it

Resolved, That we, the members of the House of Representatives, hereby express our heartfelt sympathy to our fellow member in his illness and our best wishes for a speedy recovery to health, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Representative Griffin.

On a *viva voce* vote the resolution was adopted.

Mr. Milligan of Newbury offered the following resolution:

Whereas, Admiral Forrest Sherman, Chief of Naval Operations of the United States Navy has passed away, and

Whereas, Admiral Sherman was born in Merrimack, and spent many of his summers in Newbury, therefore be it

Resolved, That we, the members of the House of Representatives of the New Hampshire Legislature, pay tribute to our native son for his service to his country and the world, and be it further

Resolved, That we extend our heartfelt sympathy to his wife and family in their bereavement and that the Clerk of the House transmit to his wife a copy of these Resolutions.

On a *viva voce* vote the resolution was adopted.

Mr. Bennett of Keene offered the following resolution:

Whereas, we have learned of the death of Milan H. Collins, Representative from Ward 1, Keene, therefore be it

Resolved, That we, the members of the House of Representatives, extend our heartfelt sympathy to Mrs. Collins in her bereavement, and be it further

Resolved, That when the House adjourns today it be in memory of our fellow member, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Mrs. Collins.

On a rising vote the resolution was unanimously adopted.

(Mr. Pillsbury of Manchester in Chair)

On motion of Mrs. Winters of Rochester the following acknowledgement was printed in the Journal.

The Committee for the Speaker's Testimonial wishes to express its appreciation to the following members for their able assistance in making possible the success of the Speaker's Banquet:

Edith Atkins, Clara Brooks, Hilda Brungot, Marion Corliss, Mary Dondero, Martha Frizzell, Van H. Gardner, Ann Goodwin, Marjorie Greene, Margaret Griffin, Ida Horner, Katherine Jackson, Elizabeth Kendall, Edward Locke, Eda Martin, Manning Philbrick, Florence Morey, Angie St. Pierre, Norma Studley, Alice Sukeforth, Michael Wedick, Lena Weeks, Elsie Williams, Everett Rhodes, Gedeon Proulx, Senator Suzanne Loizeaux, and everyone for their generous cooperation.

On motion of Mr. Wedick of Manchester the House adjourned from the morning session.

Afternoon

On motion of Mr. Wadleigh of Milford the rules were suspended, and the third reading of bills were read by their titles only.

Third Readings

House Bill No. 455, An act relative to bond for and duties of the state treasurer.

Read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 97, An act relating to investments of savings banks.

Senate Bill No. 105, An act relative to powers of state health officer as to vaccination for school attendance.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Landers of Keene at 3:05 o'clock the House adjourned.

WEDNESDAY, JULY 25, 1951

The House met according to adjournment.

Joint Convention

The Honorable Senate came in and the two branches being in convention:

Prayer was offered by Bishop John T. Dallas of Lee, New Hampshire.

Eternal Father: "Strong to save, whose arm" doth rule the land and sky and sea, we praise Thy name for all Thy mercies. We beg that Thou wilt ever bless our country and that Thou wilt ever give us the leadership of men and women who revere Thee.

This day we gather together to remember one in whom Thou didst plant a dream of service to the State, to the Nation and to mankind. Help us to keep in mind his humanness and his belief in people of every sort. May we too, listen to those who are in want, to those who have seen a vision of the glory that awaits humanity when Thy Kingdom shall come on earth. May we the friends and neighbors of him who was our governor and who represented America to the world always aim to keep "the faith of our fathers."

Grant, O God, that this likeness of one of our citizens be a symbol to keep us at work, day by day, in the hope of the peace of a new world tomorrow. Amen.

The following program was presented:

Presentation of the
JOHN GILBERT WINANT
MEMORIAL PORTRAIT

Presentation of the portrait by the artist
RUTH L. BERRY

Acceptance in behalf of the State of New Hampshire by
GOVERNOR SHERMAN ADAMS

Address - JOHN GILBERT WINANT
by LAWRENCE F. WHITTEMORE

John Gilbert Winant was born in New York City, February 23, 1889. He came from a well-to-do family and in the

course of his education was sent to St. Paul's School here at Concord. New Hampshire exercised its peculiar charm on the young man and ever after coming here as a boy, New Hampshire was his acknowledged home and the one place he loved best of all others.

In 1912 he came back to New Hampshire and to St. Paul's as teacher of English and as Assistant Rector. He was not content to confine his activities to teaching school, however, and since he had decided to make New Hampshire his home he characteristically took an interest in all phases of its life. He became a member of the New Hampshire House of Representatives in the 1917 session at the age of 28.

Leaving that session he went to Paris and there enlisted as a private in the American Expeditionary Forces. His purpose in going to Paris seems to have been a determination to get into the fight and not risk the possibility of being sidetracked into some teaching capacity which would cause him to stay in the comparative safety of this country. Although he enlisted as a private he advanced rapidly and became Commander of the Eighth Aero Squadron. He was discharged as a Captain at the end of the war. I have talked with some of the men who knew him when he was a combat flier in France. Their statement to me has been that he was never an expert flier but his devotion to duty and grim determination made him an excellent fighter. Such was his high purpose that he volunteered for desperate missions and the fact that he survived is something of a miracle.

On coming back to New Hampshire he served as a member of the 1921 State Senate, but returned to the House for the 1923 session. In the election of 1924 he was elected Governor, having put on a spectacular personal campaign in the primary in opposition to the candidate of the party organization, Colonel Frank Knox. Incidentally, the two men finally became good friends when Mr. Winant was Ambassador to Great Britain and Knox was Secretary of the Navy.

There are many persons now in the state services and in public life in New Hampshire who remember John Winant's first term as Governor. His administration was marked by a sincere and vigorous effort to serve the interests of the State without respect to who might have been pleased or displeased. While at that time he was not extremely popular with the so-

called "Old Guard Republicans," in subsequent years many of them became his staunch friends and admirers. In fact, George H. Moses, the great conservative leader of those days, finally came to express his friendship and admiration for John Winant's services to the nation during World War II.

Governor Winant was re-elected in 1930 and in 1932, being the first person for many years to serve three terms as Chief Executive of the State.

To me, at least, the most significant of many services to the State during his second and third terms was his courageous action whereby the State met an emergency situation by financing the pulpwood needs of the Brown Company, enabling that Company to avoid liquidation. The legal and constitutional manner of effecting this result was not definitely clear when the need first arose, but Winant brought about a practical method of meeting the situation through consultation with many persons of good will in the State who were interested in saving the north country's most important industry. Since that time, and it is hoped for generations to come, New Hampshire has and will benefit by his unusual action in the face of a great emergency. A weaker character might not have dared to take the initial responsibility.

When he retired from the governorship in 1934 the State and Nation were in the bottom of a desperate depression. It is evident that he decided then to risk his popularity as a Republican by accepting appointment by a Democratic national administration. He then chose to meet the national emergency as a citizen rather than as a member of one political party. He served as Chairman of the Textile Inquiry Board in 1934, Assistant Director of the International Labor Office in Geneva from 1935 to 1939, and Director after 1939. In the interim he became the first Chairman of the Social Security Board in 1935 and served as such during the years when the present Social Security System of the nation was evolved. This task was one which particularly fitted his temperament and his desires. His exhaustive studies of all that had gone before in the field finally produced the present system which has so far withstood the test of time. It is a remarkable tribute to his work that neither political party has suggested a change of the system since that time. Whatever faults there have been with Social Security have been faults of administration not of original concept.

In taking the steps which he took in 1934 to join the Democratic administration in important work, he realized, I am sure, that he probably was closing the door to future political advancement. It is characteristic of John Winant that he made the choice in the time of emergency and did not thereafter voice or feel regret as to his decision. It may be said of his decision and his deportment at this time, as was said by Edmund Burke of Charles James Fox in 1783. Fox had introduced a bill into the House of Commons calling for a searching investigation of Indian affairs. Such investigation affected the pocket books of many of the great families of England and was displeasing to the King.

"He has put to hazard his case, his security, his interest, his power, even his darling popularity, for the benefit of a people whom he has never seen. This is the road that all heroes have trod before him . . . (In his faults there is) nothing to extinguish the fires of great virtues . . . no mixture of deceit, of hypocrisy, of pride, of ferocity, of complexional despotism, or want of feeling for the distress of mankind . . . "

John Winant, in spite of his affluent background, had a tremendous interest and faith in people in ordinary and less-than-ordinary financial circumstances. I have reason to know of the sincerity of his interest because of my knowledge of the many, many instances where he gave of himself and his property to people whom he felt needed it more than he. In this respect he carried the Christian injunction "Give all thy goods to feed the poor" further than any person I have ever known.

In 1941 he was appointed Ambassador to Great Britain. That county was staggering under the terrific onslaught of German might which was characterized as the Blitzkrieg. To go to London and stay there at that time was hazardous in the extreme, but John Winant stuck to his post, working hard and effectively to meet the desperate situation brought about by World War II. He forswore the usual luxuriant living of an Ambassador and lived without austentation in three rooms with one servant. His contribution to the spirit of sacrifice of the country to which he was accredited, warmed the hearts of Englishmen everywhere. I remember his telling me on one of his visits to this country at that time about forgetting to tell his housekeeper that Winston Churchill was coming to dinner.

When the Prime Minister arrived there was nothing in the house to eat. This happening was afterwards confirmed to me by Churchill on his most recent visit to this country when he came to Boston and I had an opportunity to talk with him.

On the occasion of his retirement as Ambassador to Great Britain in 1946 many important people spoke generously of his great service. I will quote but one: Winston Churchill who said, "He is a friend of Britain but he is more than a friend of Britain, he is a friend of justice, freedom and truth."

Those who knew John Winant will realize that in spite of his proclivity for friendship, his intense love of people, and his burning desire to right wrongs and to correct situuations, he really walked alone. Here in New Hampshire sometimes his faults have been overemphasized. That he had them all who knew his must admit, but they were human faults and vastly overshadowed by his sincerity of purpose, devotion to duty, extraordinary kindness and great humility. John Winant not only walked alone but he walked humbly before God and man.

On motion of the Honorable Senator from District No. 24, the convention arose.

House

Leaves of Absence

Messrs. Rowell of Newport, Bass of Peterborough, Hambleton of Goffstown, and Miss Horner of Thornton were granted leaves of absence for the day on account of impartant business.

Introduction of Bill

The following bill was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules, House Bill No. 457, An act to rehabilitate the general fund of the state treasury for funds invested in liquor inventory. Referred to the Committee on Appropriations.

Mr. Sanborn of Wakefield moved that the rules be suspended to dispense with printing and reference to committee.

The question being on the motion to suspend rules.

(Discussion ensued)

Messrs. Sanborn of Wakefield, Pickett and Turner of Keene spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

On motion of Mr. Sanborn of Wakefield the rules of the House were further suspended to allow the third reading and final passage of House Bill No. 457, at the present time.

Read a third time and passed and sent to the Senate for concurrence.

Engrossed Bills

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bill:

House Bill No. 354, An act ratifying a proposed compact with certain states specified providing for abatement of existing pollution and control of future pollution of interstate waters.

The report was accepted.

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, to whom was referred House Bill No. 408, An act relative to taking, transportation and sale of lobsters and lobster meat, reported the same under Joint Rule No. 6 with the following amendments and the recommendation that the bill as amended ought to pass:

Amend section 1 of said bill by striking out the last sentence and inserting in place thereof the following:

The fee for such license shall be fifteen dollars for a person who does not use more than seventy-five traps, or twenty-five dollars for a person who uses more than seventy-five traps, provided that if a person does not take lobsters or crabs for the purpose of selling the same and does not use more than five traps, the fee shall be five dollars. The fees and fines collected under the provisions of this subdivision and the expenses of enforcing the same shall be accounted for separately by the director.

Amend section 12 of said bill by striking out the first two lines and inserting in place thereof the following:

12. *Resident and Nonresident.* Amend chapter 245 of the Revised Laws by inserting after section 55-a, as hereinbefore inserted, the following new section: 55-b. *Definitions.*

On motion of Mr. Washburn of Bartlett the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendments.

House Bill No. 345 (in new draft), An act amending the laws affecting the public service commission and persons and companies subject to its jurisdiction.

Amend section 2 of chapter 285 as inserted by section 9 of said bill by striking out the word "utilities" in the last line and inserting in place thereof the word, service.

Amend section 39 of said bill by inserting after the word "Laws" in the second line the words and figures, as amended by chapter 29, Laws of 1943.

Amend section 17 of chapter 294 as inserted by section 48 of said bill by striking out the first five lines and inserting in place thereof the following:

17. *Petition.* Whenever it is necessary, in order to meet the reasonable requirements of service to the public, that any public utility should construct a pipe line or conduit or line of poles or towers and wires and fixtures thereon over, under or across any of the public waters of this state, or over, under or across any of the land owned by this state, or to flow any of such lands, it may petition the commission for

Amend section 18 of said chapter 294 by striking out the figure 16 and inserting in place thereof the figure 17.

Amend section 21 of said chapter 294 as so inserted by adding at the end the following sentence:

The commission shall also determine the amount of compensation to be paid to the state for rights on public lands as above provided.

Amend section 3 of chapter 301 as inserted by section 60 of said bill by striking out the words "preceding section" and inserting in place thereof the words, two preceding sections.

Amend section 11 of chapter 301 as inserted by section 60 of said bill by striking out the figure "9" and inserting in place thereof the figure, 10.

Amend section 35 of chapter 299 as inserted by section 58 of said bill by striking out said section and inserting in place thereof the following:

35. *Alterations; Taking Land.* The commission may require the railroad to raise any railroad bridge or any overhead highway bridge and, in the case of a highway bridge, to change the approaches thereto so as to make them as nearly level as practicable. Whenever it is necessary, in complying with such requirement of the commission, to raise or lower or otherwise change the location of a highway outside the railroad location, any land needed for that purpose shall be taken, and the damage, if any, to land owners shall be appraised and paid, in the manner described in chapter 298.

Amend section 2 of chapter 299 as inserted by section 58 of the bill, by striking out the words "state highway commission" in the first and second lines and inserting in place thereof the words, commissioner of public works and highways.

Amend said bill by inserting after section 64 the following new section:

65. *Present Commissioners.* The members of the public service commission in office at the time this act takes effect shall continue in office as public utilities commissioners for the balance of their respective terms.

Further amend said bill by renumbering section 65 to read section 66.

On motion of Mr. Perkins of Concord the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence.

Taken from the Table

House Bill No. 445, An act relative to payment of expenses of forest fires, kindling fires and penalties for violation of fire laws.

The question being on the amendments as printed on pages 4 and 5 of the Journal of July 19.

On a *viva voce* vote the amendments were adopted, and the the bill ordered to a third reading.

Senate Bill No. 68, An act to authorize housing authorities to undertake projects to secure the availability of dwellings for persons engaged in national defense activities.

The question being on the amendment as printed on pages 6, 7, 8, and 9 of the Journal of July 19.

On a *viva voce* vote the amendment was adopted.

Mr. Lamprey of Moultonborough offered the following amendment:

Amend section 2 of Senate Bill No. 68 by striking out the whole thereof and inserting in place thereof the following:

2. *Takes Effect.* This act shall take effect upon its passage but nothing contained herein shall affect any contract, obligation or commitment heretofore made or entered into by the state of New Hampshire or by the state housing board, which shall continue in existence for the sole purpose of winding up its affairs and carrying out the terms of such contract, obligation or other commitment heretofore made.

The question being on the amendment.

(Discussion ensued)

Messrs. Lamprey of Moultonborough, Brown of Laconia, Chandler of Warner, Ingham of Winchester, Turner of Keene and Pillsbury of Manchester spoke in favor of the amendment.

Messrs. Spaulding of Hudson and Pickett of Keene spoke against the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Sullivan of Berlin asked for a division.

A division being had, the Speaker declared the vote to be manifestly in the affirmative and the amendment was adopted.

Mr. Lamprey of Moultonborough offered the following amendment:

Amend section 1 of Senate Bill No. 68 by striking out the first clause thereof and inserting in place thereof the following: Repeal chapter 286 of the Laws of 1947 except for section 3 thereof which designates sections 1-30 inc. of chapter 169 of the Revised Laws as amended as Part I and repeal chapter 139 of the Laws of 1943, and amend chapter 169 of the Revised Laws as amended by chapter 169 of the Laws of 1947 by adding at the end thereof the following new part:

The question being on the amendment.

(Discussion ensued)

Mr. Lamprey of Manchester spoke in favor of the amendment.

Mr. Chandler of Warner and Mrs. Morey of Hart's Location spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Lamprey of Moultonborough offered the following amendment.

Amend Paragraph II, Section 6 of Part II as set forth in Section 1 of Senate Bill 68 by striking out the whole thereof and inserting in place thereof the following:

II. "National defense period" shall mean the period, as determined by the governor and council (which determination shall be conclusive in any suit, action or proceeding) during which there exists or impends within any locality designated by the governor and council an acute shortage of safe and sanitary dwellings for persons engaged in national defense activities.

The question being on the amendment.

(Discussion ensued)

Mr. Lamprey of Moultonborough spoke in favor of the amendment.

Mrs. Dondero of Portsmouth moved that the amendment be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Mrs. Dondero of Portsmouth spoke in favor of the motion.

Messrs. Turner of Keene, Downey of Manchester, Ingham of Winchester, Chandler of Warner, Pillsbury and Kennedy of Manchester and Sanborn of Wakefield spoke against the motion.

Mr. Ferguson of Pittsfield moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone the amendment.

On a *viva voce* vote the motion to indefinitely postpone did not prevail.

Mr. Ecker of Manchester moved that the bill and pending amendment be laid upon the table.

On a *viva voce* vote the motion to lay on the table did not prevail.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted.

Reconsideration

Mr. Evans of Lancaster moved that the House reconsider its vote whereby the House voted not to adopt the following amendment.

Amend Section No. 1 of Senate Bill 68 by striking out the first clause thereof and inserting in place thereof the following: Repeal Chapter 286 of the Laws of 1947 except for section 3 thereof which designates sections 1-30 inclusive of chapter 169 of the Revised Laws as amended as Part I and repeal Chapter 139 of the Laws of 1943, and amend Chapter 169 of the Revised Laws as amended by Chapter 169 of the Laws of 1947 by adding at the end thereof the following new part:

The question being on the motion to reconsider.

On a *viva voce* vote the motion to reconsider prevailed.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 145, An act relating to power and duties of towns, with reference to contracts, with unions and other employees, and the President has appointed as members of such a committee on the part of the Senate, Senators Hartnett and O'Malley.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 62, An act to amend the factors lien law.

Senate Bill Read and Referred

Senate Bill No. 62, An act to amend the factors lien law.

Read a first and second time, and referred to the Committee on Banks.

Concurrent Resolution

Mr. Philbrick of Rye offered the following concurrent resolution:

Whereas, New Hampshire lacks a memorial to her sons and daughters of all military services, who lost their lives as the result of action at sea in any of the wars fought by the United States of America, and

Whereas, New Hampshire owes an enduring debt of gratitude to these, its children, who gave their lives so that we might live to enjoy the fruits of the freedom for which they fought, and

Whereas, the proposed memorial of bronze and New Hampshire granite, to be erected on the New Hampshire coastline at Pulpit Rock in Rye, is a fitting and proper expression of our gratitude to these dead, and

Whereas, the committee charged with executing this memorial is proposing that it be financed by a state-wide drive for the collection of scrap, so that the same effort which will make possible this memorial will also aid the present defense effort, therefore be it

Resolved by the Senate and House of Representatives in General Court convened:

That it is the sense of the General Court that the effort to build such a memorial is deserving of the complete support of all of New Hampshire's civic and patriotic organizations and of its people, and that they be urged to give freely of their assistance and cooperation.

On a *viva voce* vote the concurrent resolution was adopted, and was then sent to the Senate for concurrence.

Reconsideration

Mr. Chandler of Warner moved that the House reconsider its vote whereby the House ordered Senate Bill No. 68 to a third reading.

On a *viva voce* vote the motion to reconsider did not prevail.

On motion of Mr. Wadleigh of Milford the rules were suspended, business in order at 3:00 o'clock was made in order at the present time, and the third reading of bills were read by their titles only.

Third Readings

House Bill No. 445, An act relative to payment of expenses of forest fires, kindling fires, and penalties for violation of fire laws.

Read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 68, An act to authorize housing authorities to undertake projects to secure the availability of dwellings for persons engaged in national defense activities.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

On motion of Mr. Towle of Epsom at 1:27 o'clock the House adjourned.

THURSDAY, JULY 26, 1951

The House met according to adjournment.

Prayer was offered by guest Chaplain, Rev. Vincent B. Wayland, Church of Christ, (Federated), Warner, New Hampshire:

O God, who knowest that we are not sufficient of ourselves, but that all our sufficiency is of thee; assist us with thy grace in all the work we are to undertake this day. Direct us in it by thy wisdom, support us by thy power, that by doing our duty diligently we may bring peace and prosperity to this state. Attend with thy blessing and divine favor all those in places of public trust. Hear us, O Lord, for the sake of Jesus Christ our Lord. Amen.

Presentation

Mrs. Richards of Exeter, for the committee to appoint a chaplain, presented Mr. Reed of Goffstown a token gift in recognition of his services as chaplain.

Leaves of Absence

Mr. Janelle of Nashua was granted leave of absence for the day on account of important business.

Mr. Eldredge of Exeter was granted leave of absence for the day on account of illness.

Mrs. Taylor of Whitefield was granted leave of absence for the day on account of attending a funeral.

Introduction of Bill

The following bill was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules, House Bill No. 458, An act making temporary appropriation for the expenses of the state of New Hampshire for the month of August, 1951. To the Committee on Appropriations.

Mr. Sanborn of Wakefield moved that the rules be suspended to dispense with the printing and reference to committee of House Bill No. 458.

On a *viva voce* vote the motion prevailed.

Mr. Sanborn of Wakefield moved that the rules further be suspended to allow the third reading and final passage of House Bill No. 458 at the present time.

On a *viva voce* vote the motion prevailed, the bill was read a third time and passed, and sent the Senate for concurrence.

Engrossed Bills

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, to whom was referred House Bill No. 423, An act relative to subversive activities, reported the same under Joint Rule No. 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 3 of chapter 457-A as inserted by section 1 of said bill by striking out the word "September" in the second line and inserting in place thereof the word, November.

Amend section 12 of said chapter 457-A as inserted by section 1 of said bill by striking out the word "June" in the first line and inserting in place thereof the word, August, and by striking out the word "August" in the fourth line and inserting in place thereof the word, October.

On motion of Mr. Wells of Newton the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence.

Committee Reports

Mr. Evans of Lancaster, for the Committee on Appropriations, to whom was referred House Bill No. 431, An act for the extension of skiing facilities on the Cannon Mountain Franconia Notch State Reservation, having considered the same, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the words "two hundred and" in the first line so that said section as amended shall read as follows:

1. *Appropriation.* The sum of sixty thousand dollars is hereby appropriated for the purpose of the construction on the Cannon Mountain Franconia Notch State Reservation of additional skiing facilities and appurtenances and services for the public including trails, slopes, up-ski devices, parking areas and such necessary buildings for service and sales to the public as will provide the most efficient recreational use of said area with due regard to the scenic attractions thereof.

Amend section 5 of the bill by striking out the words "two hundred and" in the fourth and fifth lines so that said section as amended shall read as follows:

5. *Bonds and Notes Authorized.* To provide funds for the appropriation made by section 1 hereof, the state treasurer is hereby authorized, under the direction of the governor and council, to borrow on the credit of the state not exceeding the sum of sixty thousand dollars and for said purpose may issue bonds and notes in the name and on behalf of the state of New Hampshire. The governor and council shall determine the form of such bonds and notes, their rate of interest, the dates when interest shall be paid, the dates of maturities, the places where principal and interest shall be paid and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state.

Amend section 8 of the bill by striking out the words "two hundred and" in the seventh line so that said section as amended shall read as follows:

8. *Short Term Notes.* Prior to the issuance of the bonds or notes hereunder, the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short term loans, which may be refunded by the issuance of bonds or notes hereunder. Provided, however, that at no one time shall the indebtedness of the state on short term loans exceed the sum of sixty thousand dollars.

The question being on the amendment.

(Discussion ensued)

Mr. Sanborn of Wakefield spoke in favor of the amendments.

Mr. Hill of Conway moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

Mr. Hill of Conway spoke in favor of the motion.

Messrs. Grass of Franconia, Barry of Wilton, Evans of Lancaster and Underhill of Nashua spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Hill of Conway asked for a division.

A division being had, the Speaker declared it to be manifestly in the negative and the motion to indefinitely postpone did not prevail.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted.

The bill was then ordered to a third reading.

Reconsideration

Mr. Sanborn of Wakefield moved that the House reconsider its vote whereby it ordered to a third reading House Bill No. 431.

On a *viva voce* vote the motion to reconsider did not prevail.

Mr. Powell of Sutton, for the Committee on Education, to whom was referred House Bill No. 288, An act relative to

school district insurance, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Malley of Somersworth, for the Committee on Ways and Means, to whom was referred House Bill No. 60, An act relative to exemptions under the income tax act, having considered the same, reported the same with the recommendation that the bill ought to pass.

The question being, Shall the bill be ordered to a third reading?

(Discussion ensued)

Mrs. Atkins of Hanover spoke in favor of the question.

Mr. Geisel of Manchester offered the following amendment:

Amend section 1 of said bill by striking out the words "six hundred" where they occur and inserting in place thereof the words, one thousand, so that said section as amended shall read as follows:

1. *Taxation of Incomes.* Amend section 4 of chapter 78 of the Revised Laws by striking out the words "two hundred" in the first line, and inserting in place thereof the words, one thousand, so that said section as amended shall read as follows: 4. *Exemption.* One thousand dollars of each income otherwise taxable shall be exempt.

The question being on the amendment.

(Discussion ensued)

Messrs. Geisel and Kennedy of Manchester and Chandler of Warner spoke in favor of the amendment.

Mr. Bass of Peterborough, Perkins of Concord and Sanborn of Wakefield spoke against the motion.

On a *viva voce* vote the Chair was in doubt.

Mr. Kennedy of Manchester asked for a division.

A division being had, 121 members having voted in the affirmative, and 156 members having voted in the negative, the amendment was not adopted.

Mr. Geisel of Manchester offered the following amendment:

Amend section 1 of said bill by striking out the words "six hundred" where they occur and inserting in place thereof the words, eight hundred, so that said section as amended shall read as follows:

1. *Taxation of Incomes.* Amend section 4 of chapter 78 of the Revised Laws by striking out the words "two hundred" in the first line, and inserting in place thereof the words, eight hundred, so that said section as amended shall read as follows: 4. *Exemption.* Eight hundred dollars of each income otherwise taxable shall be exempt.

The question being on the amendment.

(Discussion ensued)

Messrs. Geisel and Kennedy of Manchester spoke in favor of the amendment.

Messrs. Bass of Peterborough and Sanborn of Wakefield spoke against the amendment.

Mr. Chandler of Warner moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment.

Mr. Geisel of Manchester demanded the Yeas and Nays, but subsequently withdrew his demand and asked for a division.

A division being had, 100 members having voted in the affirmative, and 174 members having voted in the negative, the amendment was not adopted.

Mr. Geisel of Manchester offered the following amendment:

Amend section 1 of said bill by striking out the words "six hundred" where they occur and inserting in place thereof the words, seven hundred fifty, so that said section as amended shall read as follows:

1. *Taxation of Incomes.* Amend section 4 of chapter 78 of the Revised Laws by striking out the words "two hundred" in the first line, and inserting in place thereof the words, seven hundred fifty, so that said section as amended shall read

as follows: 4. *Exemption.* Seven hundred fifty dollars of each income otherwise taxable shall be exempt.

The question being on the amendment.

(Discussion ensued)

Mr. Geisel of Manchester spoke in favor of the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Geisel of Manchester asked for a division.

A division being had 81 members having voted in the affirmative and 164 members having voted in the negative the amendment was not adopted.

Mrs. Atkins of Hanover moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the question: Shall the bill be read a third time?

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Malley of Somersworth for the Committee on Ways and Means, to whom was referred House Bill No. 68, An act relating to the taxation of legacies and successions, reported the same with the recommendation that the bill ought to pass.

The question being shall the bill be read a third time.

(Discussion ensued)

Mr. Rathbone of Exeter spoke in favor of the question.

On a *viva voce* vote the Chair was in doubt.

The Chair asked for a division.

A division being had the speaker declared it to be manifestly in the affirmative, and the bill was ordered to a third reading.

Reconsideration

Mr. Geisel of Manchester moved that the House reconsider its vote whereby the House ordered House Bill No. 60, to a third reading.

On a *viva voce* vote the motion to reconsider did not prevail.

Mr. Malley of Somersworth, for the Committee on Ways and Means, to whom was referred House Bill No. 93, An act

exempting charitable bequests from legacy and succession taxes, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Malley of Somersworth, for Committee on Ways and Means, to whom was referred House Bill No. 216, An act relating to repeal of tax on stock-in-trade and livestock, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Malley of Somersworth, for the Committee on Ways and Means, to whom was referred House Bill No. 61, An act repealing the tax on stock in trade and the tax on incomes, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Ways and Means, to whom was referred House Bill No. 61, An act repealing the tax on stock in trade and the tax on incomes, being unable to agree with the majority, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act providing for the assessment and collection of a special poll tax for state purposes.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Special Head Tax.* There is hereby levied and assessed in 1951 and 1952 for the use of the state a special head tax of five dollars upon each and every resident of the state, as defined herein, over twenty-one and under seventy years of age.

2. *Resident Defined.* The word "resident" as used herein shall mean a person, whether a citizen or an alien, except paupers and insane persons, who has resided in this state for at least six months next preceding September first in the year in which the tax is assessed.

3. *Time of Payment.* Said head tax shall be assessed upon August 15 in the year 1951 and April 1, 1952 and payable upon demand on or after each of the said dates.

4. *Collection.* The selectmen of towns and assessors of cities shall on or before October first in 1951 and June 1, 1952, make a list of all head taxes by them assessed against residents of their respective towns and cities and commit the same together with a warrant under their hands and seals to the collector of taxes for such town or city, directing said collector to collect such head taxes on or before December first next following and keep the same in a special account, and monthly, or oftener, pay the same over to the town or city treasurer as the same are collected.

5. *Penalty.* There shall be added to any special head tax not paid in full on or before December first following the assessment thereof the sum of fifty cents which shall be collected with the tax as incident thereto.

6. *Remedies for Collection.* Said special head taxes may be collected by all of the means and methods provided in chapter 80 of the Revised Laws and the provisions of section 3 of chapter 116 of the Revised Laws as amended by chapter 150 of the Laws of 1949 shall apply to the special head tax assessed hereunder.

7. *Husband Liable.* A husband shall be liable for the payment of the special head tax assessed against his wife, if, when it was assessed, they were living together.

8. *Liability to Towns and Cities.* Each town and city shall be liable to the state for all special head taxes lawfully assessed in said town or city and not abated as provided by section 12 hereof.

9. *Payment to the State.* Each town and city shall cause its treasurer to pay over to the state treasurer in the months of January, April, July and October all special head taxes and penalties collected during the preceding three months after first deducting two per cent of the amount collected to defray the extra expense incurred by the cities and towns, said deduction to be credited by the city and town treasurers to the general funds of the cities and towns wherein the tax collector is paid on a full time basis, and in towns where the tax collector is paid on a part time or commission basis, to the collector.

10. *Extents.* The state treasurer shall issue his extent for the amount of all head taxes and penalties which have been collected and not remitted by any town or city as provided above.

11. *Final Payment.* Each town and city shall cause its treasurer in the month of October in the year following the year of assessment to pay over the amount of all unpaid head taxes not lawfully abated for which the town or city is liable. If payment is not made as provided herein then the state treasurer in the following month shall issue his extent therefor and any head taxes with the penalties due thereon thereafter collected shall be retained by the town or city collecting the same.

12. *Abatements.* Selectmen and assessors for good cause shown may abate any special head tax assessed by them or by their predecessors. If the selectmen or assessors shall lawfully abate any special head tax after the final amount for which the town or city is liable has been paid to the state, as hereinbefore provided, then upon request therefor made by such city or town, the state treasurer with the approval of the governor and council shall refund to such city or town the amount of such taxes lawfully abated.

13. *Supplementary Bond of Collector.* Whenever the tax commission deems it necessary, a collector of taxes or town manager may be required to furnish a further and additional bond beyond that required by other provisions of law with sufficient sureties, in such form and amount as the commission may approve. The premiums shall be paid by the state.

14. *Supplies, Bills and Postage.* The tax commission shall prepare and provide to each tax collector without charge uniformly printed tax bills, envelopes, postage, or postal cards, and other supplies, to be completed and used by the tax collector for giving notice of the taxes assessed to each person liable and in keeping the necessary records relating thereto. The expenses incurred by the tax commission in supplying materials and supplemental bonds required hereunder shall be a charge against the funds collected by the state under the provisions hereof.

15. *Exemptions.* All persons on active duty in the armed forces of the United States of America on the date of

assessment shall be exempt from payment of the special head tax.

16. *Disposition of Taxes.* All funds received by the state treasurer under the provisions hereof, less costs of collection as provided in sections 9 and 14, shall be deposited in the general funds of the state.

17. *Takes Effect.* This act shall take effect upon its passage.

ELMER H. DOWNS,
A Minority of the Committee.

Mr. Downs of Conway moved to substitute the minority report for that of the majority.

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Downs of Conway and Turner of Keene spoke in favor of the motion.

Mr. Bass of Peterborough moved that the bill with the accompanying reports be laid upon the table and made a special order for Tuesday, July 31, at 11:01 o'clock.

The question being on the motion to lay upon the table.

(Discussion ensued)

Messrs. Bass of Peterborough, Malley of Somersworth, Plumer of Bristol, Sullivan of Manchester, Baron of Claremont and Martel of Manchester spoke in favor of the motion.

Messrs. Kazakis of Manchester, Cole of Lebanon and Gagnon of Manchester spoke against the motion.

(Mr. Sanborn of Wakefield in Chair)

Messrs. Carton of Claremont, Carter of Cornish, Pickett of Keene and Mrs. Richards of Exeter spoke in favor of the motion.

Messrs. Kennedy of Manchester and Turner of Keene spoke against the motion.

(Speaker in Chair)

Mr. Ferguson of Pittsfield spoke in favor of the motion.

Mr. Jones of Lebanon spoke against the motion.

Mr. Powell of Sutton moved the previous question.

The question being, Shall the main question now be put?

The question being on the motion to lay upon the table House Bill No. 61 with accompanying reports and make it a special order for Tuesday, at 11:01 o'clock.

Mr. Wheeler of Keene asked for a division.

A division being had, 172 having voted in the affirmative and 121 members having voted in the negative, the motion for a special order prevailed.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 327, An act relating to certain fees in the insurance department.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relative to licensed insurance brokers.

Amend said bill by striking out sections 1, 2 and 3.

Further amend said bill by renumbering section 4 to read section 1.

Further amend said bill by striking out section 5 and inserting in place thereof the following, renumbering as follows:

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Fuller of Hanover the House non-concurred in the adoption of the amendments sent down from the Honorable Senate and a Committee of Conference was appointed.

The Speaker appointed as members of such committee on the part of the House Mr. Fuller of Hanover, Mrs. Kendall of Exeter and Mr. Chapdelaine of Manchester.

The message further announced that the Senate had voted to recall from the Governor for further consideration House Bill No. 361, An act relative to indemnity for condemned domestic animals.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives.

House Bill No. 361, An act relative to indemnity for condemned domestic animals.

House Bill No. 396, An act authorizing an interstate compact relating to flood control of the Connecticut River.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 58, An act relative to extension of a special appropriation for the fish and game department.

The message also announced that the Senate had voted to adopt the report of the Committees of Conference on the following entitled bills:

House Bill No. 168, An act to implement civil defense powers.

House Bill No. 425, An act relative to liability under insurance policies issued to the state and municipal subdivisions thereof.

On motion of Mr. Wadleigh of Milford the rules were suspended, business in order at 3:00 o'clock was made in order at the present time, and the third reading of bills were read by their titles only, and when the House adjourns today it be to meet Tuesday at 11:00 o'clock.

Third Readings

House Bill No. 60, An act relative to exemptions under the income tax act.

House Bill No. 68, An act relating to the taxation of legacies and successions.

House Bill No. 288, An act relative to school district insurance.

Severally read a third time and passed and sent to the Senate for concurrence.

Reconsideration

Mr. Bass of Peterborough moved that the House reconsider its vote whereby the House voted to pass House Bill No. 60.

On a *viva voce* vote the motion did not prevail.

House Bill No. 431, An act for the extension of skiing facilities on the Cannon Mountain Franconia Notch State Reservation.

Read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. French of Bedford at 2.47 o'clock the House adjourned.

TUESDAY, JULY 31, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

Almighty God, whose commandment is over all and whose providence faileth not, make us ever aware of Thy presence, and obedient to Thy will. Guard us against dishonesty in purpose, and help us to so live that we can stand unashamed before one another and before Thee. If we doubt, strengthen our faith; if we are tempted, make us strong to resist. Clothe us at all times with an earnest patriotic desire to do everything in our power to further our democracy and demonstrate the wisdom of popular government. Remind us always, O Lord, that nothing endures which is not in accordance with the laws Thou hast ordained.

"Long may our land be bright
With Freedom's holy light;
Protect us by Thy might,
Great God, our King."

Amen.

Leaves of Absence

Messrs. Wilman of Northfield and Morel of Berlin were granted leaves of absence for the week on account of important business.

Messrs. Lamson of New London and Pelletier of Nashua, Ward 8, were granted leaves of absence for the day on account of important business.

Mrs. Atkins of Hanover was granted leave of absence until further notice on account of important business.

Mr. Converse of Claremont was granted leave of absence for the week on account of illness.

Committee Reports

Notice of Reconsideration

Mr. Carter of Cornish served notice that today or some subsequent day he would move to reconsider the vote whereby the House voted, inexpedient to legislate, House Bill No. 216.

Mr. Grass of Franconia, for the Committee on Resources, Recreation and Development, to whom was referred House Joint Resolution No. 41, Joint resolution for inclusion of forest management and soil conservation practices in all flood control plans carried out by the federal government in the state of New Hampshire in coordination with state authorities, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted, and the joint resolution ordered to a third reading.

Mr. Malley of Somersworth, for the Committee on Ways and Means, to whom was referred House Bill No. 296, An act providing for an income tax, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Baron of Claremont moved that the words, ought to pass, be substituted for the report of the committee, inexpedient to legislate.

The question being on the motion to substitute the words, ought to pass.

(Discussion ensued)

Messrs. Baron of Claremont, Skinner of Orford, Malley of Somersworth, Pillsbury of Manchester, Rathbone of Exeter, Sanborn of Wakefield and Scamman of Stratham, and Mrs.

Millar of Claremont and Mrs. Brungot of Berlin spoke in favor of the motion.

Messrs. Kearns, Kennedy and Geisel of Manchester, Jones of Lebanon, Brown of Laconia and Ferguson of Pittsfield, and Mrs. Cooper of Nashua and Mrs. Ramsdell of Nashua spoke against the motion.

Mr. Martel of Manchester moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

Mr. Martel of Manchester spoke in favor of the motion.

Messrs. Pickett of Keene and Baron of Claremont spoke against the motion.

Mr. Shaheen of Dover moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

Mr. Willey of Campton demanded the Yeas and Nays and the roll was called with the following result.

Yeas, 231

GRAFTON COUNTY: Gingras, Clarke of Canaan, Avery, Lorden, Grass, Williams, Holden of Hanover, Chamberlin of Haverhill, McMeekin, Sleeper, Adams, Ashley of Lebanon, Cole, Jones, Gardner, Kelley, Martin of Littleton, Burrill, Huckins, Barney, Horner, Anderson, Gilbert.

COOS COUNTY: Dussault, Hinchey, Desilets, Henderson of Berlin, Sheridan, Sullivan of Berlin, Bouchard, Fontaine, Roy of Berlin, Rines, Oakes, Fraser, Means, Hilliard.

ROCKINGHAM COUNTY: Tuttle, Libby, Wastcoat, Clark of Derry, Cushing, Gay, Hepworth, Fecteau, Eldredge, Kendall, Richards, LeComte, Bonney, Putnam, Merrill, Ring, Thurlow, Eastman, McCaffery, Sheehy, Holden of Newington, Labranche of Newmarket, Sewall, Carter of North Hampton, Dondero, Yeaton, Dame, Smart, Ingraham of Portsmouth, Philbrick, Haigh, Peever, Waterhouse.

STRAFFORD COUNTY: Stackpole, Marcotte of Dover, Shaheen, Carroll, Crandall, Flanagan, Blanchard, Parker, Caldwell, Horne, Rolfe, Dustin, Maxfield, Winters, Lacasse, St. Pierre, Fernald, Lagueux, Letourneau, Cater.

BELKNAP COUNTY: McAllister, Boutin, Osborne, Simoneau, Tilton of Laconia, Ward 3, Keller, O'Shan, Brown of Laconia, Ransom, Smith of Meredith, Matthews, Metcalf.

CARROLL COUNTY: Washburn, Benson, Downs, Hill, Nickerson, Lamprey, Moulton, Knox, Remick, Hodgdon.

MERRIMACK COUNTY: Baron of Allenstown, Putney, Nicoll, Vogel, Marden, Dodge, Ferrin, Hurd, Corbett, O'Neil of Concord, Brunel, Bunten, Nawn, Sargent, Hadley, Burke, Labranche of Franklin, Charland, Maxwell, Mason, Beale, DuDevoir, Davis of Hopkinton, Lea, Payeur, Ferguson, Powell, Chandler.

HILLSBOROUGH COUNTY: Holmes, Farwell, Hambleton, Poore, Reed, English, Sterling, Abbot, Cummings of Lyndeborough, Corliss, Kennedy of Manchester, Pettigrew, Danforth, Geisel, Connor, Dwyer, Martel, Sweeney, Fitzgerald, Kean, Nolan, Betley, Ellis, Kazakis, Casey, Cavanaugh, Clancy, Ecker, Healey of Manchester, Ward 6, Zyla, Marcoux, Sullivan of Manchester, Constant, Delisle, Kane, Cary, Gagnon, Auger, Getz, Kearns, Roukey, Soucy, Vaillancourt, Chapdelaine, Daniel, Gauthier, Thibodeau, Cannon, Donnelly, Peaslee, Falconer, Cooper, Ramsdell, Boire, Record, Belcourt, Maynard of Nashua, Ward 3, Cote, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Chartrain, Dupont, Ryan, Cormier, Grandmaison, Janelle, Bouthillier, Pelletier of Nashua, Ward 9, Mailloux, Cummings of Peterborough, French of Weare, Barry.

CHESHIRE COUNTY: Burnham, Spofford, O'Neil of Keene, Wheeler, Erwin, Codding, Turner, Worcester, Lang, Aylward, Thompson of Winchester.

SULLIVAN COUNTY: Angus, Bissonnett, Nahil, Marcotte of Claremont, Pierce, Callum.

Nays, 106

GRAFTON COUNTY: Plumer, Willey, Fuller, Crafts, Randall, Collins, Pushee, Skinner, Howard, Bell, Woodward, Sawyer of Woodstock.

COOS COUNTY: Shields, Brungot, Cummings of Colebrook, Gould, Emerson, Malloy, Evans, Simonds, Christopher, Ellingwood, Placy, Stinson.

ROCKINGHAM COUNTY: Griffin of Auburn, Darbe, Lindahl, Freeman of East Kingston, Rathbone of Exeter, McNeil, Wells, Pinkham, McDaniel, Colcord, Sukeforth, Foote, Bluitte, Scamman.

STRAFFORD COUNTY: Swain, Chase of Dover, Felker, Fellows, Locke of Dover, Smith of New Durham, Studley, Leach, Green of Rollinsford, Malley, Brown of Strafford.

BELKNAP COUNTY: Weeks, Hart of Laconia, Tilton of Laconia, Ward 4, Atwood.

CARROLL COUNTY: Morey, Sanborn.

MERRIMACK COUNTY: Ellsworth, Moore, Tebbetts, Kennedy of Concord, Perkins of Concord, Saltmarsh, Tilton of Concord, Freeman of Concord, Blodgett, Sawyer of Concord, Towle, Ayotte, Smith of Loudon, Milligan, Sawyer of Wilmot.

HILLSBOROUGH COUNTY: Wilson, French of Bedford, Black, Doonan, Crosby, Goodwin, Pillsbury, Nelson, Wadleigh, Brosnahan, Locke of New Boston, Ashley of New Ipswich, Bass.

CHESHIRE COUNTY: Dort, Jackson, Miller of Fitizwilliam, Rathbun of Harrisville, Walker, Landers, Bennett, Pickett, Sherwin, Kershaw, Billings, Ingham of Winchester.

SULLIVAN COUNTY: Bascom, Frizzell, Brooks, Millar of Claremont, Baron of Claremont, Carter of Cornish, Bailey, Perry, Rowell, Gamsby.

Pairs

Mrs. Atkins of Hanover voting Yes, paired with Mrs. Greene of Concord voting No.

Mrs. Taylor of Whitefield voting No, paired with Mr. Pelletier of Nashua, Ward 8, voting Yes.

Mr. Durrell of Portsmouth voting Yes, paired with Mr. Walsh of Keene voting No.

Mr. Tobey of Concord voting No, paired with Mr. Converse of Claremont voting Yes.

Mr. Chase of Franklin voting No, paired with Mr. Spalding of Nashua voting Yes.

Mr. Lamson of New London voting Yes, paired with Mr. Vaughan of Newport voting No.

Mr. Wilman of Northfield voting Yes, paired with Mr. Kirk of Keene voting No.

Mr. Wedick of Manchester voting Yes, paired with Mr. Carton of Claremont voting No.

Mr. Underhill of Nashua voting No, paired with Mr. Spaulding of Hudson voting Yes.

And the motion to indefinitely postpone prevailed.

Mr. Scamman of Stratham called for the special order.

It being House Bill No. 61, An act repealing the tax on stock in trade and the tax on incomes.

The question being on the motion to substitute the minority report, ought to pass with amendment, for that of the majority, inexpedient to legislate.

(Discussion ensued)

Mr. Turner of Keene spoke in favor of the motion.

Mr. Lea of Pembroke moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

Mr. Betley of Manchester spoke in favor of the motion.

Messrs. Ferguson of Pittsfield, Gagnon of Manchester, Perkins of Concord, French of Weare, Clarke of Canaan, Jones of Lebanon, Pickett of Keene and Mrs. Richards of Exeter spoke against the motion.

Mr. Lea of Pembroke withdrew his motion to indefinitely postpone.

The question being on the motion to substitute the minority report for that of the majority.

(Discussion ensued)

Mr. Sanborn of Wakefield spoke in favor of the motion.

Messrs. Pickett of Keene, Chandler of Warner, Scamman of Stratham and Moore of Bradford spoke against the motion.

Mr. Gamsby of Sunapee moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute the minority report for that of the majority.

Mr. Pillsbury of Manchester demanded the Yeas and Nays and the roll was called with the following result:

Yeas, 191

HILLSBOROUGH COUNTY: Holmes, Wilson, French of Bedford, Black, Poore, Reed, Doonan, English, Sterling, Abbott, Cummings of Lyndeborough, Corliss, Pettigrew, Danforth, Pillsbury, Gagnon, Auger, Peaslee, Wadleigh, Cooper, Ramsdell, Boire, Record, Locke of New Boston, Mailloux, Cummings of Peterborough, French of Weare.

CHESHIRE COUNTY: Burnham, Miller of Fitzwilliam, Maloney, Rathbun of Harrisville, Walker, Spofford, Kirk, O'Neil of Keene, Landers, Wheeler, Bennett, Erwin, Codding, Turner, Sherwin, Worcester, Lang, Aylward, Billings, Ingham of Winchester, Thompson of Winchester.

SULLIVAN COUNTY: Bascom, Frizzell, Angus, Brooks, Bissonett, Millar of Claremont, Nahil, Marcotte of Claremont, Carter of Cornish, Rowell, Vaughan, Pierce, Gamsby, Callum.

GRAFTON COUNTY: Gingras, Clark of Canaan, Avery, Grass, Williams, Fuller, Holden of Hanover, Chamberlin of Haverhill, McMeekin, Sleeper, Crafts, Adams, Ashley of Lebanon, Cole, Jones, Randall, Gardner, Burrill, Skinner, Howard, Bell, Huckins, Anderson, Woodward, Gilbert, Sawyer of Woodstock.

COOS COUNTY: Rines, Cummings of Colebrook, Gould, Oakes, Emerson, Fraser, Malloy, Means, Hilliard, Placy, Taylor.

ROCKINGHAM COUNTY: Tuttle, Libby, Wastcoat, Lindahl, Clark of Derry, Freeman of East Kingston, Kendall, Richards, LeComte, Putnam, Merrill, Ring, Thurlow, McNeil, McCaffery, Sheehy, Carter of No. Hampton, Pinkham, McDaniel, Colcord, Foote, Yeaton, Dame, Smart, Ingraham of Portsmouth, Bluitte, Peever, Waterhouse.

STRAFFORD COUNTY: Chase of Dover, Felker, Crandall, Locke of Dover, Blanchard, Parker, Horne, Rolfe, Dustin, Maxfield, Winters, St. Pierre, Studley, Fernald, Leach, Green of Rollinsford, Brown of Strafford.

BELKNAP COUNTY: Boutin, Weeks, Hart of Laconia, Keller, Tilton of Laconia, Ward 4, Matthews, Atwood, Metcalf.

CARROLL COUNTY: Washburn, Benson, Downs, Hill, Nickerson, Lamprey, Moulton, Knox, Hodgdon, Sanborn.

MERRIMACK COUNTY: Ellsworth, Nicoll, Vogel, Marden, Dodge, Tebbetts, Kennedy of Concord, Hurd, Perkins of Concord, O'Neil of Concord, Saltmarsh, Tilton of Concord, Brunel, Bunten, Freeman of Concord, Greene of Concord, Blodgett, Nawn, Sawyer of Concord, Sargent, Hadley, Towle, Ayotte, Maxwell, Mason, Davis of Hopkinton, Smith of Loudon, Ferguson, Sawyer of Wilmot.

Nays, 151

HILLSBOROUGH COUNTY: Farwell, Hambleton, Crosby, Goodwin, Kennedy of Manchester, Geisel, Connor, Dwyer, Martel, Sweeney, Fitzgerald, Kean, Nolan, Betley, Ellis, Healy of Manchester, Ward 5, Kazakis, Casey, Cavanaugh, Clancy, Ecker, Healy of Manchester, Ward 6, Zyla, Downey, Marcoux, Sullivan of Manchester, Constant, Delisle, Kane, Roy of Manchester, Cary, Getz, Kearns, Roukey, Lareau, Soucy, Vaillancourt, Chapdelaine, Daniel, Gauthier, Thibodeau, Cannon, Donnelly, Wedick, Falconer, Nelson, Underhill, Belcourt, Maynard of Nashua, Ward 3, Brosnahan, Cote, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Chartrain, Dupont, Ryan, Cormier, Grandmaison, Janelle, Bouthillier, Pelletier of Nashua, Ward 9, Ashley of New Ipswich, Bass, Barry.

CHESHIRE COUNTYS Dort, Jackson, Pickett, Walsh, Kershaw.

SULLIVAN COUNTY: Bailey, Perry.

GRAFTON COUNTY: Plumer, Willey, Collins of Lisbon, Kelley, Martin of Littleton, Barney, Horner.

COOS COUNTY: Dussault, Hinchey, Shields, Desilets, Henderson of Berlin, Sheridan, Sullivan of Berlin, Bouchard, Fontaine, Roy of Berlin, Evans, Simonds, Christopher, Ellingwood, Stinson.

ROCKINGHAM COUNTY: Griffin of Auburn, Darbe, Cushing, Gay, Hepworth, Fecteau, Eldredge, Rathbone of Exeter, Bonney, Eastman, Holden of Newington, LaBranche of Newmarket, Sewall, Wells, Sukeforth, Philbrick, Haigh, Scamman.

STRAFFORD COUNTY: Swain, Stackpole, Shaheen, Fellows,

Carroll, Flanagan, Caldwell, Smith of New Durham, Lacasse, Lagueux, Letourneau, Cater of Somersworth, Malley.

BELKNAP COUNTY: McAllister, Osborne, Simoneau, Tilton of Laconia, Ward 3, O'Shan, Brown of Laconia, Ransom, Smith of Meredith.

CARROLL COUNTY: Morey, Remick.

MERRIMACK COUNTY: Baron of Allenstown, Putney, Moore, Ferrin, Corbett, Burke, LaBranche of Franklin, Charland, Beale, DuDevoir, Milligan, Lea, Payeur, Powell, Chandler,

Pairs

Mr. Spalding of Hudson voting Yes, paired with Mr. Lampson of New London voting No.

Mr. Roche of Manchester voting No, paired with Mr. Lorden of Enfield voting Yes.

Mr. Spaulding of Nashua voting No, paired with Mr. Wilman of Northfield voting Yes.

Mr. Pelletier of Nashua, Ward 8 voting No, paired with Mr. Tobey of Concord voting Yes.

Mr. Baron of Claremont voting No, paired with Mr. Carton of Claremont voting Yes.

Mrs. Dondero of Portsmouth voting No, paired with Mr. Hart of Wolfeboro voting Yes.

Mr. Karkavelas of Dover voting Yes, paired with Mr. Marcotte of Dover voting No.

And the motion to substitute the minority report, ought to pass with amendment, prevailed.

The question being on the amendment offered by the Committee on Ways and Means.

On a *viva voce* vote the amendment was adopted.

Mr. Kearns of Manchester called for a division.

A division being had, 181 members having voted in the affirmative and 139 members having voted in the negative, the amendment was adopted.

Mr. Maxwell of Henniker offered the following amendment:

1. Amend said bill by striking out the words five dollars

when they appear in section one and inserting in place thereof the words two dollars, so that the bill as amended shall read:

1. *Special Head Tax.* There is hereby levied and assessed in 1951 and 1952 for the use of the state a special head tax of two dollars upon each and every resident of the state, as defined herein, over twenty-one and under seventy years of age.

Further amend said bill by striking out section 16 of the bill and inserting in place thereof the following new section:

Section 16. *Disposition of Taxes.* All funds received by the state treasurer under the provisions hereof, less costs of collection as provided in sections 9 and 14, shall be used for adjustments of the pay of state employees; and any money remaining after such state employees pay adjustments, shall be deposited in the general funds of the state.

The question being on the amendment.

(Discussion ensued)

Messrs. Maxwell of Henniker and Moore of Bradford spoke in favor of the amendment.

Messrs. Carter of Cornish, Gagnon of Manchester, Angus of Claremont, Sanborn of Wakefield and Perkins of Concord spoke against the amendment.

On a *viva voce* vote the amendment was not adopted

Mr. Payeur of Pembroke offered the following amendment:

Amend Section 1. Special Head Tax, by striking out the words seventy years of age and inserting in place thereof the words sixty-five years of age.

The question being on the amendment.

(Discussion ensued)

Messrs. Payeur of Pembroke, Betley and Daniel of Manchester spoke in favor of the amendment.

Messrs. Sanborn of Wakefield, Clarke of Canaan, Pickett of Keene, Pillsbury of Manchester, Fernald of Rochester, Cole of Lebanon and Chandler of Warner spoke against the amendment.

Mr. Daniel of Manchester demanded the Yeas and Nays and the roll was called with the following result:

(Mr. Martel of Manchester in Chair)

Yeas, 113

HILLSBOROUGH COUNTY: Farwell, Doonan, Crosby, Kennedy of Manchester, Geisel, Connor, Dwyer, Martel, Fitzgerald, Kean, Nolan, Betley, Ellis, Healy of Manchester, Ward 5, Kazakis, Casey, Cavanaugh, Clancy, Ecker, Healy of Manchester, Ward 6, Zyla, Downey, Marcoux, Sullivan of Manchester, Constant, Delisle, Kane, Roy of Manchester, Cary, Gagnon, Getz, Kearns, Roukey, Soucy, Vaillancourt, Chapdelaine, Daniel, Gauthier, Cannon, Donnelly, Wedick, Nelson, Belcourt, Maynard of Nashua, Ward 3, Brosnahan, Cote, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Chartrain, Dupont, Ryan, Grandmaison, Janelle, Bouthillier, Pelletier of Nashua, Ward 9, Ashley of New Ipswich, Barry.

CHESHIRE COUNTY: Pickett, Walsh.

SULLIVAN COUNTY: Angus, Baron of Claremont, Marcotte of Claremont, Bailey.

GRAFTON COUNTY: None.

COOS COUNTY: Dussault, Hinchey, Desilets, Henderson of Berlin, Sheridan, Sullivan of Berlin, Bouchard, Fontaine, Roy of Berlin, Fraser, Means, Ellingwood, Stinson.

ROCKINGHAM COUNTY: Cushing, Hepworth, Fecteau, Rathbone of Exeter, Labranche of Newmarket, Foote.

STRAFFORD COUNTY: Stackpole, Marcotte of Dover, Shaheen, Carroll, Flanagan, Caldwell, Winters, Lacasse, Lagueux, Letourneau, Cater, Malley.

BELKNAP COUNTY: McAllister, Boutin, O'Shan, Brown of Laconia.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Baron of Allenstown, Ferrin, Corbett, Sawyer of Concord, Burke, Labranche of Franklin, Ayotte, Charland, Beale, DuDevoir, Lea, Payeur, Chandler.

Nays, 221

HILLSBOROUGH COUNTY: Holmes, Wilson, French of Bedford, Black, Hambleton, Poore, Reed, English, Sterling, Goodwin, Abbott, Cummings of Lyndeborough, Corliss, Pettigrew, Danforth, Pillsbury, Auger, Peaslee, Wadleigh, Cooper, Ramsdell, Underhill, Boire, Record, Cormier, Locke of New Boston, Mailloux, Bass, Cummings of Peterborough, French of Weare.

CHESHIRE COUNTY: Burnham, Dort, Jackson, Miller of Fitzwilliam, Rathbun of Harrisville, Walker, Spofford, Kirk, O'Neil of Keene, Wheeler, Bennett, Erwin, Codding, Turner, Sherwin, Kershaw, Lang, Aylward, Ingham of Winchester, Thompson of Winchester.

SULLIVAN COUNTY: Bascom, Frizzell, Brooks, Bissonett, Millar of Claremont, Nahil, Carter of Cornish, Perry, Rowell, Vaughan, Pierce, Gamsby, Callum.

GRAFTON COUNTY: Gingras, Plumer, Willey, Clarke of Canaan, Avery, Lorden, Grass, Williams, Fuller, Holden of Hanover, Chamberlin of Haverhill, McMeekin, Sleeper, Crafts, Adams, Ashley of Lebanon, Cole, Jones, Randall, Collins of Lisbon, Gardner, Kelley, Martin of Littleton, Pushee, Burrill, Howard, Bell, Huckins, Barney, Horner, Anderson, Woodward, Gilbert, Sawyer of Woodstock.

COOS COUNTY: Shields, Brungot, Rines, Cummings of Colebrook, Gould, Oakes, Emerson, Malloy, Evans, Simonds, Christopher, Hilliard, Placy, Taylor.

ROCKINGHAM COUNTY: Tuttle, Griffin of Auburn, Libby, Wastcoat, Darbe, Lindahl, Clark of Derry, Freeman of East Kingston, Eldredge, Kendall, Richards, LeComte, Bonney, Putnam, Merrill, Ring, Thurlow, Eastman, McNeil, McCaffery, Sheehy, Holden of Newington, Wells, Carter of North Hampton, Pinkham, McDaniel, Colcord, Sukeforth, Yeaton, Dame, Smart, Ingraham of Portsmouth, Bluitte, Philbrick, Haigh, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Chase of Dover, Felker, Fellows, Crandall, Locke of Dover, Blanchard, Parker, Horne, Smith of New Durham, Rolfe, Dustin, Maxfield, Studley, Fernald, Leach, Greene of Rollinsford, Brown of Strafford.

BELKNAP COUNTY: Weeks, Osborne, Hart of Laconia, Simoneau, Tilton of Laconia, Ward 3, Keller, Tilton of Laconia, Ward 4, Ransom, Smith of Meredith, Matthews, Atwood, Metcalf.

CARROLL COUNTY: Washburn, Benson, Downs, Hill, Morey, Nickerson, Lamprey, Moulton, Knox, Remick, Hodgdon, Sanborn.

MERRIMACK COUNTY: Putney, Ellsworth, Nicoll, Moore, Vogel, Marden, Dodge, Tebbetts, Kennedy of Concord, Hurd, Perkins of Concord, O'Neil of Concord, Saltmarsh, Tilton of Concord, Brunel, Bunten, Freeman of Concord, Greene of Concord, Blodgett, Nawn, Sargent, Towle, Chase of Franklin, Maxwell, Mason, Davis of Hopkinton, Smith of Loudon, Milligan, Ferguson, Powell, Sawyer of Wilmot.

(Speaker in Chair)

And the amendment was not adopted.

Mr. Betley of Manchester offered the following amendment.

Amend section 15 by inserting after the word "assessment" in the third line the words, and the disabled 50% veterans of all wars, so that said section as amended shall read as follows:

15. *Exemptions.* All persons on active duty in the armed forces of the United States of America on the date of assessment and all the disabled 50% veterans of all wars shall be exempt from payment of the special head tax.

The question being on the amendment.

(Discussion ensued)

Mr. Betley of Manchester spoke in favor of the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Betley of Manchester demanded the Yeas and Nays but subsequently withdrew his demand and asked for a division.

A division being had, 96 members having voted in the affirmative and 189 members having voted in the negative, the amendment was not adopted.

Mr. Pillsbury of Manchester moved the previous question.

The question being, Shall the main question now be put?

Mr. Lea of Pembroke demanded the Yeas and Nays.

Mr. Chandler of Warner moved that the House adjourn from the morning session.

On a *viva voce* vote the motion did not prevail.

Mr. Betley of Manchester asked for a division.

A division being had, 65 members having voted in the affirmative and 210 members having voted in the negative, the motion to adjourn did not prevail.

Mr. LaBranche of Franklin demanded the Yeas and Nays and the roll was called with the following result:

Yeas, 27

MERRIMACK COUNTY: Towle, LaBranche of Franklin, Charland, Beale, DuDevoir, Lea, Payeur, Chandler.

HILLSBOROUGH COUNTY: Crosby, Dwyer, Martel, Fitzgerald, Kean, Betley, Ellis, Healy of Manchester, Ward 5. Ecker, Healy of Manchester, Ward 6, Zyla, Benoit, Sullivan of Manchester, Donnelly, Wedick, Nelson, Boire, Belcourt.

CHESHIRE COUNTY: None.

SULLIVAN COUNTY: None.

GRAFTON COUNTY: None.

COOS COUNTY: Fontaine.

ROCKINGHAM COUNTY: Cushing, Eldredge.

STRAFFORD COUNTY: None.

BELKNAP COUNTY: None.

CARROLL COUNTY: None.

Nays, 298

MERRIMACK COUNTY: Baron of Allenstown, Putney, Nicoll, Moore, Vogel, Marden, Dodge, Ferrin, Tebbetts, Kennedy of Concord, Hurd, Perkins of Concord, Corbett, O'Neil of Concord, Saltmarsh, Tilton of Concord, Brunel, Bunten, Freeman of Concord, Greene of Concord, Nawn, Sawyer of Con-

cord, Sargent, Hadley, Chase of Franklin, Ayotte, Maxwell, Mason, Davis of Hopkinton, Smith of Loudon, Milligan, Ferguson, Powell, Sawyer of Wilmot.

HILLSBOROUGH COUNTY: Holmes, Wilson, French of Bedford, Black, Farwell, Hambleton, Poore, Reed, Doonan, English, Sterling, Goodwin, Abbott, Cummings of Lyndeborough, Corliss, Kennedy of Manchester, Pettigrew, Danforth, Geisel, Pillsbury, Nolan, Kazakis, Casey, Clancy, Marcoux, Constant, Delisle, Kane, Cary, Gagnon, Auger, Getz, Kearns, Roukey, Soucy, Daniel, Cannon, Falconer, Wadleigh, Cooper, Underhill, Record, Maynard of Nashua, Ward 3, Brosnahan, Cote, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Dupont, Ryan, Cormier, Janelle, Bouthillier, Pelletier of Nashua, Ward 9, Locke of New Boston, Mailloux, Bass, Cummings of Peterborough, French of Weare, Barry.

CHESHIRE COUNTY: Dort, Jackson, Miller of Fitzwilliam, Maloney, Rathbun of Harrisville, Walker, Spofford, Kirk, O'Neil of Keene, Landers, Wheeler, Bennett, Erwin, Codding, Turner, Pickett, Walsh, Sherwin, Kershaw, Worcester, Lang, Aylward, Billings, Thompson of Winchester.

SULLIVAN COUNTY: Bascom, Frizzell, Angus, Brooks, Bissonnett, Millar of Claremont, Nahil, Baron of Claremont, Marcotte of Claremont, Carter of Cornish, Perry, Rowell, Vaughan, Pierce, Gamsby, Callum.

GRAFTON COUNTY: Gingras, Plumer, Willey, Clarke of Canaan, Avery, Lorden, Grass, Williams, Fuller, Holden of Hanover, Chamberlin of Haverhill, McMeekin, Sleeper, Crafts, Adams, Ashley of Lebanon, Cole, Jones, Randall, Collins of Lisbon, Gardner, Kelley, Martin of Littleton, Pushee, Burrill, Howard, Bell, Huckins, Barney, Horner, Anderson, Woodward, Sawyer of Woodstock.

COOS COUNTY: Dussault, Hinchey, Shields, Desilets, Henderson of Berlin, Sheridan, Brungot, Sullivan of Berlin, Bouchard, Roy of Berlin, Rines, Gould, Oakes, Emerson, Fraser, Malloy, Evans, Simonds, Means, Christopher, Ellingwood, Hilliard, Placy, Stinson, Taylor.

ROCKINGHAM COUNTY: Tuttle, Libby, Wastcoat, Darbe, Lindahl, Clark of Derry, Freeman of East Kingston, Fecteau,

Kendall, Richards, LeComte, Bonney, Putnam, Merrill, Ring, Thurlow, Eastman, McNeil, McCaffrey, Sheehy, Holden of Newington, LaBranche of Newmarket, Wells, Carter of No. Hampton, Pinkham, McDaniel, Colcord, Sukeforth, Foote, Yeaton, Ingraham of Portsmouth, Bluitte, Philbrick, Haigh, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Chase of Dover, Marcotte of Dover, Shaheen, Felker, Fellows, Carroll, Crandall, Locke of Dover, Shaheen, Felker, Fellows, Carroll, Crandall, Locke of Dover, Flanagan, Blanchard, Parker, Caldwell, Horne, Smith of New Durham, Rolfe, Dustin, Maxfield, Winters, Lacasse, St. Pierre, Studley, Fernald, Leach, Green of Rollinsford, Lagueux, Letourneau, Cater of Somersworth, Malley, Brown of Strafford.

BELKNAP COUNTY: McAllister, Boutin, Weeks, Osborne, Hart of Laconia, Simoneau, Tilton of Laconia, Ward 3, Keller, Tilton of Laconia, Ward 4, O'Shan, Brown of Laconia, Ransom, Smith of Meredith, Matthews, Atwood, Metcalf.

CARROLL COUNTY: Washburn, Benson, Downs, Hill, Morey, Nickerson, Lamprey, Moulton, Knox, Remick, Hodgdon, Sanborn.

And the motion to adjourn did not prevail.

Mr. Pickett of Keene moved that the bill, as amended, be laid upon the table.

The question being on the motion to lay upon the table.

Mr. Kearns of Manchester asked for a division.

A division being had, 70 members having voted in the affirmative and 227 members having voted in the negative, the motion to lay upon the table did not prevail.

Mr. Betley of Manchester demanded the Yeas and Nays and the roll was called with the following result:

Yeas, 57

HILLSBOROUGH COUNTY: Dwyer, Martel, Fitzgerald, Kean, Nolan, Betley, Ellis, Healy of Manchester, Ward 5, Casey, Ecker, Healy of Manchester, Ward 6, Zyla, Sullivan of Manchester, Delisle, Kane, Cary, Soucy, Daniel, Cannon, Donnelly, Wedick, Boire, Belcourt, Brosnahan, Cote, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Chartrain,

Dupont, Ryan, Grandmaison, Janelle, Pelletier of Nashua, Ward 9.

CHESHIRE COUNTY: Pickett.

SULLIVAN COUNTY: None.

GRAFTON COUNTY: None.

COOS COUNTY: Sheridan, Sullivan of Berlin, Bouchard, Fontaine.

ROCKINGHAM COUNTY: Rathbone of Exeter.

STRAFFORD COUNTY: Shaheen, Carroll, Flanagan, Lacasse, Lagueux, Letourneau, Cater of Somersworth, Malley.

BELKNAP COUNTY: None.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Moore, Burke, Labranche of Franklin, Charland, Beale, DuDevoir, Lea, Payeur, Chandler.

Nays, 251

HILLSBOROUGH COUNTY: Holmes, Wilson, French of Bedford, Black, Farwell, Hambleton, Poore, Reed, Doonan, English, Crosby, Sterling, Goodwin, Abbott, Cummings of Lyndeborough, Corliss, Kennedy of Manchester, Pettigrew, Danforth, Pillsbury, Nolan, Kazakis, Clancy, Marcoux, Constant, Roy of Manchester, Gagnon, Auger, Getz, Kearns, Roukey, Vaillencourt, Falconer, Nelson, Wadleigh, Cooper, Ramsdell, Underhill, Record, Maynard of Nashua, Ward 3, Cormier, Bouthillier, Locke of New Boston, Ashley of New Ipswich, Mailloux, Bass, Cummings of Peterborough, French of Weare, Barry.

CHESHIRE COUNTY: Burnham, Dort, Jackson, Miller of Fitzwilliam, Maloney, Rathbun of Harrisville, Walker, Spofford, Kirk, O'Neil of Keene, Landers, Wheeler, Bennett, Erwin, Codding, Turner, Walsh, Sherwin, Kershaw, Worcester, Lang, Aylward, Billings, Ingham of Winchester, Thompson of Winchester.

SULLIVAN COUNTY: Bascom, Frizzell, Angus, Brooks, Bissonnett, Millar of Claremont, Nahil, Baron of Claremont, Marcotte of Claremont, Carter of Cornish, Perry, Rowell, Vaughan, Pierce, Gamsby, Callum.

GRAFTON COUNTY: Gingras, Plumer, Willey, Clarke of Canaan, Avery, Lorden, Grass, Fuller, Holden of Hanover, Chamberlin of Haverhill, McMeekin, Sleeper, Crafts, Adams, Ashley of Lebanon, Cole, Randall, Gardner, Kelley, Martin of Littleton, Pushee, Burrill, Bell, Huckins, Barney, Horner, Anderson, Woodward.

COOS COUNTY: Dussault, Hinchey, Shields, Desilets, Henderson of Berlin, Brungot, Roy of Berlin, Rines, Cummings of Colebrook, Gould, Oakes, Emerson, Fraser, Malloy, Evans, Simonds, Means, Christopher, Ellingwood, Hilliard, Placy, Stinson, Taylor.

ROCKINGHAM COUNTY: Tuttle, Griffin of Auburn, Libby, Wastcoat, Darbe, Lindahl, Clark of Derry, Hepworth, Freeman of East Kingston, Fecteau, Eldredge, Kendall, Richards, LeComte, Bonney, Putnam, Merrill, Ring, Thurlow, Eastman, McNeil, Sheehy, Holden of Newington, LaBranche of Newmarket, Wells, Carter of No. Hampton, Pinkham, McDaniel, Colcord, Foote, Yeaton, Ingraham of Portsmouth, Bluitte, Philbrick, Haigh, Waterhouse.

STRAFFORD COUNTY: Swain, Chase of Dover, Felker, Crandall, Locke of Dover, Blanchard, Parker, Caldwell, Horne, Smith of New Durham, Rolfe, Dustin, Maxfield, Winters, St. Pierre, Studley, Fernald, Leach, Green of Rollinsford, Brown of Strafford.

BELKNAP COUNTY: McAllister, Boutin, Weeks, Osborne, Hart of Laconia, Tilton of Laconia, Ward 3, Keller, Tilton of Laconia, Ward 4, Brown of Laconia, Ransom, Smith of Meredith, Matthews, Metcalf.

CARROLL COUNTY: Washburn, Benson, Downs, Hill, Morey, Nickerson, Lamprey, Moulton, Knox, Hodgdon, Sanborn.

MERRIMACK COUNTY: Putney, Nicoll, Vogel, Marden, Ferrin, Tebbetts, Kennedy of Concord, Hurd, Perkins of Concord, Corbett, O'Neil of Concord, Tilton of Concord, Brunel, Bunten, Greene of Concord, Blodgett, Nawn, Sawyer of Concord, Sargent, Hadley, Towle, Chase of Franklin, Ayotte, Maxwell, Davis of Hopkinton, Smith of Loudon, Milligan, Ferguson, Powell, Sawyer of Wilmot.

And the motion to lay upon the table did not prevail.

Mr. Betley of Manchester moved that the House adjourn. There being no "second" the motion was not entertained.

The question being on the motion of Mr. Pillsbury of Manchester for the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being, Shall the bill be read a third time?

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Pillsbury of Manchester moved that the House adjourn from the morning session.

On a *viva voce* vote the motion prevailed.

Afternoon

Mr. Wadleigh of Milford moved that the rules of the House be suspended and third readings of bills be by their titles only.

Mr. Betley of Manchester demanded the Yeas and Nays.

Mr. Wadleigh of Milford then withdrew his motion to suspend rules.

Mr. Betley of Manchester moved to suspend rules, and third readings of bills be by their titles only.

There being no "second" the motion was not entertained.

Third Readings

House Joint Resolution No. 41, Joint resolution for inclusion of forest management and soil conservation practices in all flood control plans carried out by the federal government in the state of New Hampshire in coordination with state authorities.

Read a third time in full and passed, and sent to the Senate for concurrence.

House Bill No. 61, An act providing for the assessment and collection of a special poll tax for state purposes.

The third reading of House Bill No. 61 in full having commenced, on motion of Mr. Pickett of Keene, the rules were suspended and further reading of the bill was dispensed with, and the bill was read a third time by title and passed, and sent to the Senate for concurrence.

Reconsideration

Mr. Turner of Keene moved that the House reconsider its vote whereby it passed House Bill No. 61.

On a *viva voce* vote the motion to reconsider did not prevail.

Taken from Table

On motion of Mr. Sanborn of Wakefield, House Bills Nos. 446 and 447 were taken from the table and recommitted to the Committee on Appropriations.

On motion of Mr. Perkins of Concord the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Holden of Hanover, for the Committee on Judiciary, to whom was referred House Bill No. 451, An act relating to the election of representatives to the General Court, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 3 of said bill by striking out the same and inserting in place thereof the following:

3. *Part Time.* The following named towns, according to the census of 1950, having less than the number of inhabitants necessary to entitle such towns to one representative and having a right under the constitution to elect a representative such proportional part of the time as the number of its inhabitants shall bear to the requisite number established for one representative; and such other towns having a right under the constitution to elect a representative at least once in every ten years, may elect one representative in each of the years set opposite their names in the following list:

Bath	1952	1954	1958	1960
Bennington	1952	1954	1958	1960
Bradford	1952	1956	1958	1960
Brookline	1952	1954	1958	1960
Canterbury	1952	1954	1956	1960
Deerfield	1954	1956	1958	1960
Dublin	1952	1954	1958	1960
Fremont	1952	1954	1958	1960
Greenland	1952	1954	1958	1960

Hampton Falls	1952	1954	1956	1958
Hancock	1952	1956	1958	1960
Jefferson	1952	1954	1958	1960
New Castle	1952	1954	1958	1960
New Hampton	1952	1954	1958	1960
Orford	1952	1954	1958	1960
Pittsburg	1952	1954	1958	1960
Rindge	1952	1954	1958	1960
Sandwich	1952	1954	1958	1960
Tuftonborough	1952	1954	1958	1960
Unity	1952	1954	1958	1960
Atkinson	1952	1956	1960	
Center Harbor	1952	1956	1960	
Columbia	1952	1958	1960	
Dalton	1952	1958	1960	
Danbury	1952	1956	1960	
Danville	1954	1956	1960	
Dunbarton	1952	1956	1960	
East Kingston	1954	1956	1960	
Franconia	1952	1956	1960	
Gilsum	1952	1958	1960	
Grafton	1952	1956	1960	
Harrisville	1952	1956	1960	
Kensington	1952	1956	1958	
Lee	1954	1958	1960	
Lyndeborough	1952	1956	1960	
Madbury	1952	1954	1960	
Madison	1954	1958	1960	
New Durham	1952	1956	1958	
Newfields	1952	1956	1958	
Newington	1952	1956	1960	
Nottingham	1952	1956	1960	
Piermont	1952	1958	1960	
Sutton	1952	1956	1960	
Thornton	1952	1958	1960	
Warren	1952	1956	1960	
Acworth	1954	1960		
Alexandria	1954	1958		
Carroll	1954	1960		
Croydon	1956	1960		
Deering	1954	1958		

Effingham	1956	1960
Francestown	1954	1958
Freedom	1954	1958
Goshen	1954	1960
Grantham	1954	1956
Greenfield	1952	1956
Hill	1954	1956
Jackson	1952	1958
Landaff	1954	1958
Langdon	1952	1958
Lempster	1952	1958
Litchfield	1952	1958
Marlow	1954	1958
Monroe	1954	1958
Mont Vernon	1954	1960
Newbury	1954	1958
Salisbury	1954	1958
Sandown	1954	1958
South Hampton	1954	1958
Springfield	1952	1958
Stark	1954	1958
Surry	1954	1960
Temple	1954	1960
Webster	1954	1958
Wentworth	1954	1958
Wilmot	1954	1958
Albany	1956	
Benton	1956	
Bridgewater	1956	
Brookfield	1956	
Chatham	1956	
Clarksville	1956	
Dorchester	1956	
Dummer	1956	
Easton	1956	
Eaton	1954	
Ellsworth	1960	
Errol	1954	
Groton	1956	
Hart's Location	1952	
Hebron	1956	
Livermore	1954	

Lyman	1958
Mason	1956
Middleton	1956
Millsfield	1952
Nelson	1956
Orange	1954
Randolph	1956
Richmond	1956
Roxbury	1952
Sharon	1956
Shelburne	1956
Stoddard	1956
Sullivan	1956
Washington	1956
Waterville	1952
Wentworth's Location	1956
Windsor	1956

The report was accepted and the amendment laid upon the table under Rule No. 48, to be taken up Thursday, August 2.

Reconsideration

Mr. Kearns of Manchester moved that the House reconsider its vote whereby it voted inexpedient to legislate on House Bill No. 216, An act relating to repeal of tax on stock-in-trade and livestock.

The question being on the motion to reconsider.

Mr. Carter of Cornish moved that the motion to reconsider House Bill No. 216, be laid upon the table and made a special order for Thursday, August 2, at 11:01 o'clock.

The question being on the motion to lay upon the table, and make it a special order.

(Discussion ensued)

Messrs. Carter of Cornish and Pillsbury and Martel of Manchester spoke in favor of the motion.

Mr. Casey of Manchester spoke against the motion.

On a *viva voce* vote the motion was not adopted.

Mr. Carter of Cornish asked for a division.

A division being had, 173 members having voted in the affirmative and 123 members having voted in the negative, the motion prevailed.

Mr. Casey of Manchester demanded the Yeas and Nays but subsequently withdrew his demand.

On motion of Mr. Matthews of New Hampton at 6:26 o'clock the House adjourned.

WEDNESDAY, AUGUST 1, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

Blessed Lord, Who hast said: "I am the way, the truth, and the life," help us to sense the full meaning of those words, and to humbly and sincerely walk the way Thou dost lead, to seek and understand the truth Thou hast proclaimed, and to enjoy to the full the life Thou dost give. Take from us, we beseech Thee, our mantle of self-esteem, and cast aside all hurtful differences that spring from low and base motives, and make us ever mindful that it is such as these that threaten the security and peace of our Commonwealth, the nation and the world.

Let us pray together the proyer our Lord has given us:

Our Father Who art in heaven, hallowed be Thy name. Thy kingdom come, Thy will be done, on earth as it is in heaven. Give us this day our daily bread. And forgive us our trespasses, as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil. For Thine is the kingdom, and the power, and the glory for ever and ever. Amen.

Leaves of Absence

Mr. Cormier of Nashua was granted leave of absence for the day on account of illness.

Messrs. Hambleton of Goffstown, Cummings of Peterborough, and Perkins of Concord, and Miss Bailey of Newport were granted leaves of absence for the day on account of important business.

Mr. Marquis of Nashua was granted leave of absence for an indefinite period of time on account of illness.

Mr. Bass of Peterborough was granted leave of absence for the day on account of attending a funeral.

Engrossed Bills

Mrs. Landers of Keene, and Mrs. Shields of Berlin, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 423, An act relative to subversive activities.

House Bill No. 457, An act to rehabilitate the general fund of the state treasury for funds invested in liquor inventory.

House Bill No. 458, An act making temporary appropriations for the expenses of the state of New Hampshire for the month of August, 1951.

Senate Bill No. 105, An act relative to powers of state health officer as to vaccination for school attendance.

House Bill No. 165, An act relating to setting traps.

House Bill No. 361, An act relative to indemnity for condemned domestic animals.

House Bill No. 362, An act relative to ward lines of the city of Berlin.

House Bill No. 425, An act relative to liability under insurance policies issued to the state and municipal subdivisions thereof.

House Bill No. 436, An act relating to trial placing inmates at the industrial school.

House Bill No. 396, An act authorizing an interstate compact relating to flood control of the Connecticut River.

House Bill No. 403, An act relative to fees for testing and sealing weighing and measuring devices and inspectors and city sealers.

House Bill No. 408, An act relative to taking, transportation and sale of lobsters and lobster meat.

Senate Bill No. 97, An act relating to investments of savings bank.

Committee Reports

Mr. Scamman of Stratham, for the Committee on Appropriations, to whom was referred House Bill No. 449, An act relating to the acquisition of certain land on Long Island in the town of Moultonborough, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend said bill by inserting after section 1 the following new section:

2. *Forestry and Recreation.* Amend section 2 of chapter 191 of the Laws of 1939 as amended by section 1 of chapter 72 of the Laws of 1941 by striking out said section and inserting in place thereof the following: 2. *Rules and Regulations.* When said real estate shall have been acquired as provided in section 1, it shall be under the jurisdiction of the forestry and recreation commission, and its use shall be governed by such rules and regulations as said commission shall establish except as hereinafter provided. Whenever the town of Moultonborough shall pay to the state of New Hampshire the sum of $4,100, the governor and council are authorized to convey said real estate to said town and the sums so paid to the state shall be paid into the general funds.

Further amend said bill by renumbering section 2 to read section 3.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Messrs. Sanborn of Wakefield and Ferguson of Pittsfield spoke in favor of the amendment.

Messrs. Lamprey of Moultonborough, Pillsbury and Geisel of Manchester, Wadleigh of Milford and Jones of Lebanon spoke against the amendment.

On a *viva voce* vote the amendment was not adopted and the bill was ordered to a third reading.

Reconsideration

Mr. Lamprey of Moultonborough moved that the House reconsider its vote whereby House Bill No. 449 was ordered to a third reading.

On a *viva voce* vote the motion to reconsider did not prevail.

Mr. Tilton of Laconia, for the Committee on Appropriations, to whom was referred House Bill No. 456, An act providing for the continuation of reimbursements to towns and cities as provided by chapter 79-A, Revised Laws, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Pillsbury of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 376, An act relating to the salary of the deputy register of probate in Cheshire County, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An act increasing salaries of deputy registers of probate.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *County Probate Officers.* Amend section 21 of chapter 347 of the Revised Laws as amended by chapter 199 of the Laws of 1945 by striking out said section and inserting in place thereof the following:

21. *Salaries of Deputies.* The annual salaries of the deputy registers of probate shall be paid by the state and shall be as follows:

In Rockingham county, seventeen hundred dollars.
In Strafford county, thirteen hundred dollars.
In Belknap county, one thousand dollars.
In Carroll county, one thousand dollars.
In Merrimack county, seventeen hundred dollars.
In Hillsborough county, twenty-one hundred dollars.
In Cheshire county, thirteen hundred dollars.
In Sullivan county, eleven hundred dollars.
In Grafton county, thirteen hundred dollars.
In Coos county, thirteen hundred dollars.

Further amend said bill by adding the following new section:

2. Amend section 8 of chapter 42 of the Revised Laws by adding after the word "legislature" in the fifth line the words, county official, so that said section as amended shall read:

8. *Soliciting Contributions.* No person shall solicit or invite any contribution, subscription or payment from any person who is a candidate for election to, or, prior to the ex-

piration of his term of office, from any person who has been elected to, the office of governor, United States senator, representative in congress, councilor, state senator or representative to the legislature, county official, or from any political committee, for himself or for any fraternal organization, labor organization, lodge, secret society, club or smiliar organization; nor shall any person solicit or invite any such candidate or elected person or political committee to buy tickets to any entertainment or ball, or for the aid of any such organization, or to pay for space or advertising in any book, program or publication; and no candidate, official, or committee shall make any such contribution, subscription, payment or purchase. Any person violating any provision of this section shall be fined not more than one hundred dollars.

Further amend the bill by renumbering section 2 to read section 3.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Pillsbury of Manchester spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Pillsbury of Manchester, for the Committee on Appropriations, to whom was referred Senate Bill No. 43, An act increasing salaries of registers of probate, having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate. Subject matter covered by House Bill No. 376.

The report was accepted and the resolution of the committee adopted.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrance of the House of Representatives:

House Bill No. 454, An act relative to First Baptist Society in Hampton, New Hampton Literary and Biblical Institution, Nashua Building and Loan or Co-operative Bank, Rye Water District, Amherst Water Works, and legalizing certain meetings in the towns of Antrim, Lyman, New Durham, Wakefield and Wilmot, and school district meetings in Harrisville, Hillsborough and Lebanon.

Amend section 15 of the bill by adding at the end thereof two new sections to be numbered section 16 and section 17 as follows:

16. *Proceedings Legalized.* The votes and proceedings at the annual school district meeting of the school district of Dublin, held March 13, 1951 are hereby legalized, ratified and confirmed.

17. *Newport Bond Issue.* The votes and proceedings at the annual meeting in the town of Newport held in March, 1949 authorizing the issuance of municipal bonds in the sum of $18,700 for the purpose of extending the town sewer system to Newport Heights are hereby legalized, ratified and confirmed.

Further amend the bill by renumbering section 16 to read section 18.

On motion of Mr. McMeekin of Haverhill the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had passed the following concurrent resolution, in the passage of which it asked the concurrence of the House of Representatives:

Resolved, by the Senate, the House of Representatives concurring, that the passage of House Bill No. 77, An act repealing endorsement of world federation and world government, shall not be interpreted as an expression of opinion by the General Court that the close cooperation of the free nations of the world is not vitally necessary to their fight against world communism.

On motion of Mr. Chase of Dover the House concurred in the adoption of the concurrent resolution sent down from the Honorable Senate.

The message further announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 327, An act relative to licensed brokers, and the President appointed as members of such committee, on the part of the Senate, Senators Tarlson and Hartnett.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No, 77, An act repealing endorsement of world federation and world government.

House Bill No. 210, An act relating to accident and sickness policy provisions.

House Bill No. 253, An act relative to the city clerk of the city of Laconia.

House Bill No. 254, An act relating to the city charter of the city of Laconia.

House Bill No. 374, An act relating to escapes from places of lawful confinement.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 77, An act defining the powers of the justices of the superior court.

Senate Bill No. 96, An act relating to public construction and contracts for state of New Hampshire.

Senate Bill No. 102, An act authorizing the Board of Mayor and Aldermen of the City of Manchester to delegate its authority pertaining to regulation of highways.

Senate Bills Read and Referred

Senate Bill No. 77, An act defining the powers of the justices of the Superior Court.

Read a first and second time and referred to the Committee on Judiciary.

Senate Bill No. 96, An act relating to public construction and contracts for the state of New Hampshire.

Read a first and second time and referred to the Committee on Public Works.

Senate Bill No. 102, An act authorizing the Board of Mayor and Aldermen of the city of Manchester to delegate its authority pertaining to regulation of highways.

Read a first and second time and referred to the special committee consisting of the delegation from the city of Manchester.

Rules Amendment

Mr. Geisel of Manchester offered the following amendment to the Rules of the House:

Amend the Rules of the House by striking out Rule 40 and inserting in place thereof the following:

40. All petitions, memorials and other papers addressed to the House and all bills and resolutions to be introduced in the House, shall be endorsed with the name of the person or committee presenting them, with the subject-matter of the same, and shall be placed by the members presenting them in a box provided for the purpose by the Clerk. Provided further that when a bill or resolution is introduced by the Committee on Rules the name of the member sponsoring such bill or resolution shall be endorsed thereon together with the notation that it is introduced by the Committee on Rules. The Speaker shall take up all bills and resolutions for introduction at the morning session.

Mr. Geisel of Manchester moved that the amendment be laid upon the table and made a special order for Thursday, August 2, at 11:02 o'clock.

On a *viva voce* vote the motion prevailed.

Vote Recorded

Mr. Downey and Mrs. Lareau of Manchester stated that had they been present when the roll was called on House Bill No. 296 they would have voted Yes on the motion to indefinitely postpone.

Resolutions

Mr. Pelletier of Nashua offered the following resolution:

Whereas, we have learned of the illness of Emile E. Marquis, Representative from Nashua, therefore be it

Resolved, That we extend our sympathy to our fellow member in his illness and our best wishes for a speedy recovery to health, and be it further

Resolved, That the Clerk transmit a copy of these resolutions to Representative Marquis.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Martel of Manchester le règlement intérieur de la Chambre soit suspendu afin de reconnaître à l'heure actuelle, l'ordre du jour de l'après-midi, et de procéder à la troisième lecture des projets de loi par leurs titres seulement.

Third Readings

House Bill No. 376, An act relating to the salary of the deputy register of probate in Cheshire county.

House Bill No. 449, An act relating to the acquisition of certain land on Long Island in the town of Moultonborough.

House Bill No. 456, An act providing for the continuation of reimbursements to towns and cities as provided by chapter 70-A, Revised Laws.

Severally read a third time and passed and sent to the Senate for concurrence.

Reconsideration

Mr. Evans of Lancaster moved that the House reconsider its vote whereby the House passed House Bill No. 456.

On a *viva voce* vote the motion to reconsider did not prevail.

On motion of Mrs. St. Pierre of Rochester:

Je propose l'ajournement de la chambre à l'heure actuelle.

THURSDAY, AUGUST 2, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

Great God and Father of mankind, mercifully Thou hast led us as a people. Renew within us a sense of our duty to Thee and to our state. "With firmness in the right as Thou hast given us to see the right," let us strive to finish the task Thou has given us to do with honor to Thee and credit to ourselves. In all of life's difficulties and perplexities, and when human strength fails, we not infrequently call upon Thee, help us to remember it is not for us to command success but to deserve it by hearkening to Thy Word: "Who shall ascend into the hill of the Lord and who shall stand in His holy place? He that hath clean hands and a pure heart; who hath not lifted up his soul unto vanity nor sworn deceitfully. He shall receive the blessing of the Lord." Amen.

Leave of Absence

Mrs. Studley of Rochester was granted leave of absence for the day on account of important business.

Joint Committee Report

Authorized by House Joint Resolution No. 28

To the Senate and House of Representatives of the State of New Hampshire in General Court convened:

House Joint Resolution No. 28 authorized and directed this Committee to make a thorough and impartial investigation of the economies in travel by state employees on official business to be effected by:

(a) continuing the present rate of mileage paid to private car owners;

(b) purchasing more cars by the travel bureau for its pool;

(c) authorizing the purchase through the Director of Purchases and Property of automobiles by state employees and officials for use in their state employment and official business.

The conclusions set forth below are based upon information derived from the hearings conducted by the committee,

conferences with state department heads and employees, the experiences of other states, and the study and report of Professor D. A. Fales dated February 27, 1950 which was made on this same subject.

The conclusions reached are those relating to policy, not to administration. Department heads, under close supervision of the Governor and Council, must be held fully responsible and accountable for the highest efficiency in the administration and use of state automobiles.

Conclusions

11. The State should own the automobiles necessary for transportation of employees on official business, subject to the following recommendations and restrictions:

(a) State ownership effects economy only when each car owned is driven a minimum of 20,000 miles per year. Purchases of cars by the State on behalf of a department should not be made until that department can indicate conclusively that mileage payments to employees exceed this 20,000 mile minimum. Conversely, where state-owned cars are in use, a record of less than the minimum mileage would indicate that disposal of the car and a reversion to the use of employee-owned cars is in order.

(b) Any change-over to state-owned cars should be gradual so as not to increase unduly expenditures in any one year and so as to give employees ample notice of the pending change in policy regarding mileage payments.

(c) Major departments which can properly handle their own cars to advantage should be permitted to do so. The present car pool, however, should be continued for the use of smaller departments.

(d) The first change-overs should be in departments whose employees operate primarily in and out of Concord, so that state cars may be taken from and returned to the state garage on the same day.

(e) It is suggested that the Motor Vehicle Department be the first department converted to state-owned vehicles and that its operations be studied and checked carefully in conjunction with those of the Public Works and Highway Department as a guide for other departments.

(f) Use of state cars should be for official business only. Any violation should be made cause for suspension or prosecution or both.

(g) State-owned automobiles should be unmistakably and permanently marked as such and Motor Vehicle Inspectors to be suitably uniformed.

(h) Servicing of state-owned cars should be done at state operated garages whenever possible. Servicing of cars in outlying areas where state garages are not available should be done through the Public Works and Highway Department or Division of Purchase and Property at garages approved by them.

(i) Where state cars are used by a department, private claims for mileage should not be paid unless it is established that the employee applied for use of a state vehicle and none was available.

(j) All departments should maintain a uniform system of logging mileage and reporting the same.

2. In those departments where state-owned cars are not available, mileage payments made by the state to employees for the use of privately owned automobiles should reflect the fact that the per mile cost of operation decreases as total mileage increases. The recommended schedule of payments is as follows:

7 cents per mile for the first 7,500 miles.

6 cents per mile for the next 12,500 miles.

5 cents per mile for all over 20,000 miles.

3. Your committee recommends that the Division of Purchase and Property, in cooperation with the Commissioner of Public Works and Highways and the Comptroller, make periodic studies of operations and costs to determine:

(a) the relative cost to the state of the operation of state-owned automobiles and of mileage paid to private owners of cars.

(b) the relative efficiency and cost of operations between the different departments using state-owned automobiles.

Such studies and reports should be given to the Governor and Council for appropriate action.

4. Your committee is unequivocally opposed to the purchase of automobiles by the Division of Purchase and Property

for private ownership by state employees. The state has no business acting as a wholesaler of cars and of requesting a preferential position for its employees either as to price or priority of delivery.

5. Your committee strongly recommends complete elimination of the Travel Bureau and the transfer of its functions to the Department of Public Works and Highways, except accounting and auditing which shall be done by the Comptroller's Department.

In conclusion, the committee does not recommend any specific legislation, since the proper handling of state transportation is almost entirely one of administration. It is felt that efficient administration can best be achieved outside of confining legislation. The committee does believe, however, that an expression of approval by the General Court of the conclusions set forth in this report would be of great value in such administration.

CHARLES F. LEACH, *Chairman*
CURTIS CUMMINGS
JOHN KEARNS
JOHN P. LEWIS
MARGERY GRAVES, *Clerk*
GEORGE W. TARLSON
PHILIP DUNLAP

The report was accepted.

Engrossed Bills

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 345, An act amending the laws affecting the public service commission and persons and companies subject to its jurisdiction.

The report was accepted.

Mrs. Shields of Berlin, for the Committee on Engrossed Bills, to whom was referred House Bill No. 454, An act relative to First Baptist Society in Hampton, New Hampton Literary and Biblical Institution, Nashua Building and Loan or Cooperative Bank, Rye Water District, Amherst Water Works, and legalizing certain meetings of the towns of Antrim, Lyman,

New Durham, Wakefield and Wilmot, and school district meetings in Harrisville, Hillsborough, and Lebanon, having considered the same, reported the same, under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following: relative to First Baptist Society in Hampton, New Hampton Literary and Biblical Institution, Nashua Building and Loan or Cooperative Bank, Rye Water District, Amherst Water Works, West Lebanon Village Fire District, and legalizing certain meetings of the towns of Antrim, Lyman, New Durham, Newport, Wakefield, and Wilmot, and school district meetings in Dublin, Harrisville, Hillsborough, and Lebanon.

On motion of Mr. McMeekin of Haverhill the House concurred in the adoption of the amendment proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence.

Committee Reports

Mr. Pillsbury of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 54, An act relating to scholarships for orphans of the world wars, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by inserting after the word "fathers" in the eighth line the words, or mothers; and by inserting after the figures "1946" in the tenth line the words and figures, or June 25, 1950 to cessation of hostilities, so that said section as amended shall read as follows: 1. *Scholarships for War Orphans.* Amend section 1 of chapter 35 of the Laws of 1943 as amended by chapter 196 of the Laws of 1945 by striking out said section and inserting in place thereof the following: 1. *Purpose.* The sums appropriated under the provisions of this act shall be used for the sole purpose of contributing to the payment of board, room rent, books and supplies, at institutions of secondary or college grade, of children between the ages of sixteen and twenty-five years, who are legal residents of the state at the time of application, whose

fathers or mothers served in the army, navy or marine corps of the United States from April 6, 1917 to July 2, 1921 or from December 7, 1941 to December 31, 1946, or June 25, 1950 to cessation of hostilities, having since died from service connected disability so rated by the federal government and having been at time of death legal residents of the state.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Pillsbury of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 111, An act relative to conservation and the control of lakes, ponds, rivers and streams for public use and benefits.

Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 of the bill by striking out the word "fifty" in the third line and inserting in place thereof the word, one, so that said section as amended shall read as follows:

2. *Appropriation.* There is hereby appropriated for the purpose of carrying out the provisions of this act the sum of one thousand dollars for the year ending June 30, 1952, and a like sum for the year ending June 30, 1953, and the governor is hereby authorized to draw his warrants for said sum out of any money in the treasury not otherwise appropriated. The sum hereby appropriated shall not lapse but shall be added to the appropriation for the water resources board of any succeeding fiscal year to be used for the purposes herein contained.

Amend section 3 of the bill by striking out the word "July" in the first line and inserting in place thereof the word, September, so that said section as amended shall read as follows:

3. *Takes Effect.* This act shall take effect as of September 1, 1951.

The question being on the amendment.

(Discussion ensued)

Mr. Sanborn of Wakefield spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

On motion of Mr. Sanborn of Wakefield House Bill No. 111 was laid upon the table.

Mr. Kelley of Newport, for the Committee on Appropriations, to whom was referred House Bill No. 119, An act increasing bounty on porcupines, having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Bell of Plymouth, for the Committee on Appropriations, to whom was referred House Bill No. 202, An act to increase the salaries of the justices of the supreme and superior courts, having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Pillsbury of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 229, An act relative to the salary of the deputy register of probate for the county of Hillsborough, having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by House Bill No. 376.

The report was accepted and the resolution of the committee adopted.

Mrs. Goodwin of Hollis, for the Committee on Appropriations, to whom was referred House Bill No. 311, An act increasing the salaries of the state liquor commissioners, having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Geisel of Manchester, for the Committee on Banks, to whom was referred Senate Bill No. 62, An act to amend the factors lien law, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Wedick of Manchester, for the Committee on Resources, Recreation and Development, to whom was referred Senate Bill No. 92, An act providing for the classification of certain surface waters in the counties of Sullivan and Grafton, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Hart of Laconia, for the joint committee of the Committee on Resources, Recreation and Development and the Special Committee consisting of the members from the city of Laconia, to whom was referred Senate Bill No. 104, An act authorizing the transfer of Endicott Rock State Park to the city of Laconia, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by adding at the end thereof the words, to be maintained by the city of Laconia as a public recreational park, so that said section as amended shall read as follows:

1. *Authorization.* The governor and council are directed to take such action as may be necessary, for such consideration as they deem reasonable and just, to reconvey the interest of the state in Endicott Rock State Park in the city of Laconia to said city of Laconia to be maintained by the city of Laconia as a public recreational park.

Further amend said bill by inserting after section 1 the following new sections:

2. *Board of Appraisers.* There is hereby established a board of appraisers. Said board shall consist of three members. One member shall be appointed by the governor, one member shall be appointed by the mayor of said city of Laconia, and the third member shall be selected by the said appointees.

3. *Duties.* The board shall, after investigation, recommend to the governor and council a reasonable and just value for said park.

4. *Compensation.* The board shall receive such compensation as the governor and council may determine but in no event to exceed a total of one hundred dollars. Said expenses shall be a charge on funds of the forestry and recreation commission.

5. *Special Fund.* The money received by the state for said park shall be placed in a special fund. Said fund shall be used by the forestry and recreation commission for the acquisition and development of a recreation area on the shore of Lake Winnipesaukee.

Further amend said bill by renumbering section 2 to read section 6.

The report was accepted, the amendment adopted, and the bill referred to the Committee on Appropriations under the rules.

The Special Committee consisting of the members from the county of Grafton, to whom was referred House Bill No. 199, An act relative to the salaries of the Grafton County Commissioners, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the whole of said section and inserting in place thereof the following:

1. *Grafton County.* Amend section 27 of chapter 47 of the Revised Laws, as amended by chapters 119, 150, 195 and 202 of the Laws of 1943, by chapters 66 and 163 of the Laws of 1945, by chapters 202 and 284 of the Laws of 1947 and by chapters 73 and 162 of the Laws of 1949 by striking out the words "ten hundred" in the eleventh line and inserting in place thereof the words, twelve hundred and fifty, so that said section as amended shall read as follows: 27. *Commissioners.* The annual salary of each commissioner of the following counties shall be as follows, payable monthly by the county:

In Rockingham, fifteen hundred dollars.
In Strafford, twelve hundred dollars.
In Belknap, twelve hundred dollars.
In Merrimack, fifteen hundred dollars.
In Hillsborough, three thousand dollars.
In Cheshire, fifteen hundred dollars.

In Sullivan, ten hundred dollars.

In Grafton, twelve hundred and fifty dollars.

In Coos, fifteen hundred dollars.

In Carroll County each commissioner, when employed in the business of the county, shall receive eight dollars a day, payable as hereinbefore provided. To the foregoing sums shall be added, in all the counties, a reasonable sum for all necessary expenses, upon order of the county auditors.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Taken from Table

House Bill No. 451, An act relating to the election of representatives to the general court.

The question being on the amendment as printed in the Journal of July 31.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Special Order

Mr. Carter of Cornish called for the special order.

It being, House Bill No. 216, An act relating to repeal of tax on stock-in-trade and livestock.

The question being on the motion to reconsider the vote whereby the House voted House Bill No. 216 as inexpedient to legislate.

(Discussion ensued)

Messrs, Carter of Cornish, Metcalf of Tilton, Pillsbury and Martel of Manchester, Benson of Conway, Nelson of Milford, Brown of Laconia, Black of Bennington, Sanborn of Wakefield, Pickett of Keene, Flanagan of Dover, Maxwell of Henniker, Mrs. Brungot of Berlin and Mrs. Millar of Claremont spoke in favor of the motion.

Messrs. Turner of Keene, Jones of Lebanon, Chandler of Warner, Lindahl of Deerfield, Corbett of Concord, Ferguson of Pittsfield, Geisel of Manchester, and Barry of Wilton and Mrs. Dondero of Portsmouth spoke against the motion.

Mr. Vaughan of Newport moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to reconsider the vote whereby the House voted, inexpedient to legislate, House Bill No. 216.

Mr. Waterhouse of Windham demanded the Yeas and Nays, and the roll was called with the following result:

Yeas, 154

ROCKINGHAM COUNTY: Griffin of Auburn, Libby, Wastcoat, Darbe, Cushing, Freeman of East Kingston, Eldredge, Rathbone of Exeter, LeComte, Bonney, Putnam, Thurlow, Eastman, Wells, Carter of No. Hampton, Pinkham, McDaniel, Colcord, Sukeforth, Bluitte, Philbrick.

STRAFFORD COUNTY: Swain, Felker, Locke of Dover, Flanagan, Horne, Dustin, Leach, Green of Rollinsford, Letourneau, Cater, Malley.

BELKNAP COUNTY: McAllister, Boutin, Weeks, Osborne, Hart of Laconia, Simoneau, Tilton of Laconia, Ward 3, Keller, Tilton of Laconia, Ward 4, Brown of Laconia, Smith of Meredith, Atwood, Metcalf.

CARROLL COUNTY: Washburn, Benson, Hill, Morey, Nickerson, Lamprey, Knox, Remick, Hodgdon, Sanborn.

MERRIMACK COUNTY: Putney, Ellsworth, Moore, Vogel, Dodge, Ferrin, Tebbetts, Kennedy of Concord, Hurd, Perkins of Concord, Saltmarsh, Tilton of Concord, Bunten, Greene of Concord, Sawyer of Concord, Sargent, Hadley, Towle, Chase of Franklin, Ayotte, Maxwell, Milligan, Young, Sawyer of Wilmot.

HILLSBOROUGH COUNTY: Holmes, Wilson, French of Bedford, Black, Doonan, English, Crosby, Goodwin, Pillsbury, Martel, Chapdelaine, Thibodeau, Nelson, Wadleigh, Record, Locke of New Boston, Ashley of New Ipswich, Hines.

CHESHIRE COUNTY: Dort, Jackson, Miller of Fitzwilliam, Rathbun of Harrisville, Landers, Wheeler, Codding, Pickett, Sherwin, Billings, Ingham of Winchester.

SULLIVAN COUNTY: Bascom, Frizzell, Millar of Claremont, Baron of Claremont, Carter of Cornish, Bailey, Perry, Rowell, Vaughan, Pierce.

GRAFTON COUNTY: Plumer, Willey, Clarke of Cannan, Grass, Williams, Fuller, Holden of Hanover, Chamberlin of Haverhill, Sleeper, Adams, Randall, Collins, Kelley, Martin of Littleton, Pushee, Skinner, Howard, Barney, Horner, Woodward, Gilbert, Sawyer of Woodstock.

COOS COUNTY: Shields, Brungot, Gould, Emerson, Fraser, Evans, Simonds, Means, Christopher, Ellingwood, Hilliard, Placy, Stinson, Taylor.

Nays, 168

ROCKINGHAM COUNTY: Tuttle, Lindahl, Clark of Derry, Gay, Hepworth, Fecteau, Kendall, Richards, Ring, McNeil, McCaffery, Sheehy, Labranche of Newmarket, Sewall, Durell, Foote, Yeaton, Leary, Smart, Ingraham of Portsmouth, Haigh, Peever, Waterhouse.

STRAFFORD COUNTY: Chase of Dover, Stackpole, Karkavelas, Marcotte of Dover, Shaheen, Carroll, Crandall, Caldwell, Smith of New Durham, Rolfe, Maxfield, Winters, Lacasse, St. Pierre, Lagueux.

BELKNAP COUNTY: Thompson of Laconia, Matthews.

CARROLL COUNTY: Downs.

MERRIMACK COUNTY: Baron of Allenstown, Marden, Corbett, O'Neil, Blodgett, Nawn, Burke, LaBranche of Franklin, Charland, Mason, Beale, DuDevoir, Lea, Ferguson, Powell, Chandler.

HILLSBOROUGH COUNTY: Farwell, Hambleton, Poore, Spaulding of Hudson, Cummings of Lyndeborough, Corliss, Pettigrew, Danforth, Geisel, Connor, Dwyer, Sweeney, Fitzgerald, Kean, Nolan, Betley, Ellis, Healy of Manchester, Ward 5, Kazakis, Shea of Manchester, Casey, Cavanaugh, Clancy, Ecker, Healy of Manchester, Ward 6, Zyla, Downey, Marcoux, Sullivan of Manchester, Constant, Delisle, Kane, Roy of Manchester, Cary, Gagnon, Auger, Getz, Kearns, Roche, Roukey, Lareau, Soucy, Vaillancourt, Daniel, Gauthier, Cannon, Donnelly, Wedick, Falconer, Cooper, Ramsdell, Underhill, Boire, Belcourt, Maynard of Nashua, Ward 3, Brosnahan, Cote, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Chartrain, Dupont, Ryan, Grandmaison, Janelle, Pelletier of Nashua, Ward 8, Bouthillier, Pelletier of Nashua,

Ward 9, Mailloux, Cummings of Peterborough, French of Weare, Barry.

CHESHIRE COUNTY: Walker, Spofford, O'Neil of Keene, Bennett, Erwin, Turner, Walsh, Kershaw, Worcester, Lang, Thompson of Winchester.

SULLIVAN COUNTY: Angus, Brooks, Marcotte of Claremont, Gamsby, Callum.

GRAFTON COUNTY: Gingras, Avery, Lorden, McMeekin, Ashley of Lebanon, Cole, Jones, Gardner, Bell, Huckins, Anderson.

COOS COUNTY: Dussault, Desilets, Henderson of Berlin, Sheridan, Sullivan of Berlin, Bouchard, Fontaine, Laforce, Roy of Berlin, Cummings of Colebrook, Oakes.

Pairs

Mrs. Dondero of Portsmouth voting No, paired with Mr. Fernald of Rochester voting Yes.

Mr. Dame of Portsmouth voting Yes, paired with Mr. Kennedy of Manchester voting No.

Mr. Ransom of Meredith voting Yes, paired with Mr. Malloy of Berlin voting No.

Mr. Abbott of Hudson voting No, paired with Mr. Burnham of Alstead voting Yes.

Mr. Bissonnett of Claremont voting Yes, paired with Mr. Nahil of Claremont voting No.

And the motion to reconsider did not prevail.

Special Order

Mr. Geisel of Manchester called for the special order for 11:02.

It being the proposed changes in the rules of the House.

The question being on the amendment to House Rule No. 40.

(Discussion ensued)

Messrs. Geisel of Manchester and Holden of Hanover spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

On motion of Mr. Sanborn of Wakefield the rules were suspended to allow public hearing on Senate Bill No. 104, this afternoon.

Report of Committee of Conference

The Committee of Conference to whom was referred House Bill No. 437, An act relative to fees of registers of deeds, having considered the same and being unable to agree recommend that this committee be dismissed and a new Committee of Conference be appointed.

RALPH A. BLAKE,
LOUIS W. PAQUETTE,
Conferees on the Part of the Senate.
JOHN B. EVANS,
PHILIP S. WILLEY,
CHARLES A. GILBERT,
Conferees on the Part of the House.

On a *viva voce* vote the report was adopted.

The Speaker appointed as members of a new Committee of Conference on the part of the House, Messrs. Green of Rollinsford, Bennett of Keene and Fuller of Hanover.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 405, An act relating to a uniform collections division for state institutions.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Division of Collections.* Amend chapter 23-A of the Revised Laws as inserted by Part 6 of chapter 5 of the Laws of 1950, by inserting after section 25 the following new subdivision:

Division of Collections.

26. *Division of Collections.* There shall be a division of collections in the department of administration and control under the executive direction of the business supervisor.

27. *Duties.* Subject to the direction and supervision of the comptroller, the business supervisor shall (1) review and investigate all records of the state hospital, Laconia state school and the state sanatorium relative to expenses incurred by patients at such institutions, or expenses incurred by patients receiving care, treatment or maintenance at the direction of the tuberculosis commission, and make recommendations to the respective boards of trustees or commissions of such institutions, or to the tuberculosis commission, as to the rates to be charged for the care, treatment and maintenance of such patients or inmates, (2) investigate the ability of patients and inmates of such institutions and of the patients receiving care, treatment or maintenance either in public or private institutions or otherwise at the direction of the tuberculosis commission and those legally chargeable for their support and maintenance to pay for such care, treatment and maintenance and recommend to the respective boards of trustees or commissions of such institutions or to the tuberculosis commission the rate to be charged, (3) submit monthly to the boards of trustees of such institutions and the tuberculosis commission any recommended changes in the schedule of rates based upon the ability of the patient or inmate or those legally chargeable for their support to pay, (4) submit monthly to the boards of trustees or commissions of such institutions and the tuberculosis commission a report setting forth any facts or information which bear upon or affect the domicile of any patient or inmate of such institution which the business supervisor has found in conjunction with investigation under this subdivision, and the business supervisor shall recommend such action as he deems advisable, (5) receive all records of such institutions relative to changes in population and rates charged and keep a suitable record of such changes in population and rates charged for the use of the division of collections, (6) upon the establishment by the board of trustees or commission of such institutions or the tuberculosis commission of the sums due the state for the care, treatment and maintenance of any patient or inmate in such institutions, or of any patient receiving care, treatment or maintenance at the direction of the tuberculosis commission, collect such sums from the patient or inmate if of sufficient ability to pay or his estate or from those persons legally chargeable with his support or their estate.

28. *Persons Chargeable.* Expenses incurred in such institutions or at the direction of the tuberculosis commission in any public or private institution or elsewhere by anyone having a father, mother, son, daughter, husband or wife whose weekly income or other resources are more than sufficient to provide a reasonable subsistence compatible with decency and health, may be recovered in an action by the business supervisor in the name of the state, from either a father, mother, son, daughter, husband or wife, who are declared jointly and severally liable for such expenses, unless otherwise ordered by the court.

29. *Support Order.* Upon a petition for support filed by the business supervisor in the name of the state, the superior court may enter an order requiring persons legally chargeable for the support of a patient or inmate to contribute to the support of such patient or inmate. Anyone against whom an order is entered requiring a person to contribute to the support of such relative who fails to comply therewith shall be deemed to be in contempt of court and may be imprisoned not less than sixty nor more than ninety days.

30. *Expenses.* The state is entitled to recover the expense of care, treatment and maintenance of any patient or inmate at such institution or at a public or private institution or otherwise at the direction of the tuberculosis commission from the patient or inmate, if of sufficient ability to pay or his estate, or from those persons legally chargeable with his support or their estate.

31. *Regular Rate.* Each board of trustees or the commission of such institution shall determine a uniform monthly rate to cover the expenses for the care, treatment and maintenance of patients or inmates of such institutions. The tuberculosis commission shall establish a monthly rate to be charged patients receiving care, treatment and maintenance at its direction.

32. *Partial Charges.* Each board of trustees or commission of such institution or other tuberculosis commission may charge less than the uniform monthly rate when it finds that a patient or any relative chargeable therewith is able to bear only a portion of the expense incident to his care, treatment and maintenance at such institution or care, treatment and maintenance furnished at the direction of the tuber-

culosis commission. In establishing such charge the boards of trustees or commission of such institutions and the tuberculosis commission shall consider the report, investigation and recommended charge of the business supervisor. The business supervisor shall charge the recommended rate if the boards of trustees or commission of such institutions or the tuberculosis commission shall not establish a different rate at the meeting following the one in which the recommendation was presented. The business supervisor shall make further recommendations as provided in this section where conditions affecting the ability to pay of persons legally chargeable for the support of the patient or inmate have changed.

33. *Support by the State.* Any patient or inmate of such institutions or patient receiving care, treatment or maintenance at the direction of the tuberculosis commission who has no means of support and no persons chargeable for his support shall be supported by the state.

34. *Special Services.* Each board of trustees or commission of such institutions or the tuberculosis commission shall determine the rates for special services rendered to patients or inmates of such institutions or at the direction of the tuberculosis commission.

35. *Reports.* The superintendents of such institutions and the director of tuberculosis control shall forward forthwith to the business supervisor any change in population at such institutions, any change affecting the rates charged patients or inmates, and any other changes affecting expenses incurred by a patient or inmate.

36. *Transfer.* I. Records at Institution. All records of the state hospital, Laconia state school and the state sanatorium relative to expenses incurred by patients or inmates at said institutions or relative to the collection of moneys due the state for the care, treatment and maintenance of patients or inmates in such institutions are hereby transferred to the business supervisor. All personnel engaged full time in the investigation of accounts and the collection of such moneys are hereby transferred to the division of collections.

II. Records Maintained by the Tuberculosis Commission. All records maintained by the tuberculosis commission, other than at the state sanatorium, relative to expenses incurred by persons receiving care, treatment or maintenance at the

direction of the tuberculosis commission, whether at public or private institutions, or otherwise, relative to the collection of moneys due the state for such care, treatment or maintenance are hereby transferred to the business supervisor.

2. *State Hospital.* Sections 15, 22, 23 and 25 of chapter 17 of the Revised Laws relative to support of persons committed to the state hospital are hereby repealed.

3. *State Sanatorium.* Sections 4, 5 and 6 of chapter 153 of the Revised Laws, as amended, relative to support of a patient at the state sanatorium are hereby repealed.

4. *Laconia State School.* Section 6 of chapter 129 of the Revised Laws relative to support of inmates is hereby repealed.

5. *Transfer of Personnel and Appropriations.* All personnel of the state hospital, Laconia state school, state sanatorium, and tuberculosis commission, now engaged full time in the investigation of accounts and the collection of moneys due said institutions or commission, are hereby transferred to the division of collections in the department of administration and control, and all unexpended funds and appropriations for compensation and expenses of such employees are hereby transferred and allocated to the department of administration and control for the purpose of administering and carrying out the provisions of this chapter.

6. *Disposition of Funds.* All funds collected by the business supervisor in charge of the division of collections under the provisions of this act shall be credited to the respective institutions or commission in accordance with the acts and resolves of the General Court.

7. *Limitation.* The business supervisor in charge of the division of collections shall not be entitled to any additional assistance to perform the duties imposed by the provisions hereof beyond the number presently authorized but the duties hereunder shall be performed by said business supervisor and by the same number of financial agents as authorized at the date of the passage of this act. Said supervisor and said financial agents shall not be entitled to additional salary increases on account of additional duties imposed hereunder.

8. *Takes Effect.* This act shall take effect on the first day of the month next following the date of the passage of this act.

Reading of the amendment having commenced, on motion of Mr. Perkins of Concord, further reading was dispensed with.

On motion of Mr. Perkins of Concord the House voted to non-concur in the amendments sent down from the Honorable Senate and asked for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House Messrs. Perkins of Concord, Turner of Keene and Barry of Wilton.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

Senate Bill No. 87, An act relative to the restoration of the clam fisheries in New Hampshire.

Amend section 63 of chapter 245 as inserted by section 1 of said bill by striking out the first 8 lines and inserting in place thereof the following:

63. *Clams; Regulations; Closed Season; Licenses and Permits; Advisory Committee.* The taking of clams within the public waters or flats of New Hampshire is forbidden except Eastman's Slough in Hampton Falls for a period of two years from date of passage of this act, provided, however, that temporary or permanent residents of this state licensed by the fish and game commission shall be permitted to dig one peck of clams per day for personal but not for commercial use in the following places only: Blackwater River, Mill River, Brosn's River, Taylor River, Tidewater Mills and Grant Bay above the pollution line. Said residents shall be permitted to dig clams in the aforesaid places by the use of clam-digging forks. No clams under two and one-half inches shall be taken from said places.

On motion of Mr. Washburn of Bartlett the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives.

House Bill No. 445, An act relative to payment of expenses of forest fires, kindling fires, and penalties for violation of fire laws.

House Bill No. 448, An act authorizing the publication and sale of military records of New Hampshire war veterans.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 82, An act relating to reimbursement for support of county and town paupers.

Senate Bill Read and Referred

Senate Bill No. 82, An act relating to reimbursement for support of county and town paupers.

Read a first and second time and referred to the Committee on Municipal and County Government.

Resolutions

Mr. Wadleigh of Milford moved that the address of Lawrence Whittemore, on the John Gilbert Winant services, be printed in the Journal.

On a *viva voce* vote the motion prevailed.

On motion of Mr. Wadleigh of Milford, the rules were suspended, and business in order at 3:00 o'clock was made in order at the present time, and the third reading of bills be by their captions only, and that when the House adjourns today it be to meet Tuesday at 11:00 o'clock.

Third Readings

House Bill No. 54, An act relating to scholarships for orphans of the World Wars.

House Bill No. 199, An act relative to the salaries of the Grafton County Commissioners.

House Bill No. 451, An act relating to the election of representatives to the general court.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 62, An act to amend the factors lien law.

Senate Bill No. 92, An act providing for the classification of certain surface waters in the counties of Sullivan and Grafton.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mr. Healy of Ward 6, Manchester, at 1:55 o'clock the House adjourned.

TUESDAY, AUGUST 7, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God, Who in Thy Word hast said: "Knowest thou not whether thou art come to the kingdom for such a time as this?" Make us sensible of the condition of the times in which we live, and deeply conscious of the responsibility that is laid upon us. If in our dealing with one another we find dishonesty, low morals and a lack of patriotism, help us, our God, to accept these as a challenge, and to go forward, as our forefathers went, inspired by the vision of a great ideal. Give us wills to put first things first, and to be aware that no earthly affluence can atone for poverty of soul.

"We are watchers of a beacon
whose light must never die;
We are guardians of an altar that
shows Thee ever nigh;
We are children of Thy freemen
who sleep beneath the sod;
For the might of Thine arm we
bless Thee; our God, our
father's God!" Amen.

Leaves of Absence

Mr. Swain of Barrington was granted leave of absence for the day on account of illness.

Mr. Washburn of Bartlett was granted leave of absence for the week on account of important business.

Introduction of a Joint Resolution

The following joint resolution was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules, House Joint Resolution No. 44, Joint resolution in favor of the estates of James B. Perry and Milan H. Collins. Referred to the Committee on Appropriations.

On motion of Mr. Sanborn of Wakefield the rules were suspended, printing and reference to committee dispensed with, and the bill put upon its third reading and final passage at the present time.

Read a third time and passed and sent to the Senate for concurrence.

Engrossed Bills

Mrs. Corliss of Manchester, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 77, An act repealing endorsement of world federation and world government.

House Bill No. 168, An act to implement civil defense powers.

House Bill No. 253, An act relative to the city clerk of the city of Laconia.

House Bill No. 254, An act relating to the city charter of the city of Laconia.

House Bill No. 374, An act relating to escapes from places of lawful confinement.

House Bill No. 444, An act relative to trustees of Brewster Free Academy.

House Bill No. 448, An act authorizing the publication and sale of military records of New Hampshire war veterans.

House Bill No. 297, An act relative to eligibility for old age assistance of certain persons.

House Bill No. 210, An act relating to accident and sickness policy provisions.

The report was accepted.

Committee Reports

Mr. Tilton of Laconia, for the Committee on Appropriations, to whom was referred Senate Bill No. 104, An act

authorizing the transfer of Endicott Rock State Park to the city of Laconia, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 of the bill by striking out the word "directed" in the first line and inserting in place thereof the word, authorized, so that said section as amended shall read as follows:

1. *Authorization.* The governor and council are authorized to take such action as may be necessary, for such consideration as they deem reasonable and just, to reconvey the interest of the state in Endicott Rock State Park in the city of Laconia to said city of Laconia to be maintained by the city of Laconia as a public recreational park.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Perkins of Concord, for the Committee on Judiciary, to whom was referred House Bill No. 453, An act relative to membership of the judicial council, duties of Clerks of the Senate and House of Representatives, naming of certain bridges over the Blue Star Memorial Highway and Baer Pond, and relative to the children's study home, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 of said bill by striking out the words "New Hampshire Bar Association" where they appear in line four and lines nine and ten and inserting in place thereof the words, Bar Association of the State of New Hampshire, so that said section as amended shall read as follows:

1. *Judicial Council; Membership.* Amend section 1 of chapter 381-A of the Revised Laws, as inserted by chapter 169 of the Laws of 1945, by inserting after the words "attorney general" the words, the president of the Bar Association of the State of New Hampshire, so that said section as amended shall read as follows: 1. *Judicial Council.* There is hereby established a judicial council which shall consist of a justice of the supreme court, selected by the justices thereof, a justice of the superior court, selected by the justices thereof, the attorney general, the president of the Bar Association of the State of New Hampshire, and seven other members appointed

by the governor with the advice and consent of the council, of whom not less than four shall be members of the bar of wide experience.

Amend section 2 of the bill by striking out the words "New Hampshire Bar Association" where they appear in lines six and twelve, and inserting in place thereof the words, Bar Association of the State of New Hampshire, so that said section as amended shall read as follows:

2. *Additional Member.* Amend section 2 of chapter 381-A of the Revised Laws, as inserted by chapter 169 of the Laws of 1945, by striking out said section and inserting in place thereof the following: 2. *Appointment and Tenure of Office.* The term of each member, except the attorney general and the president of the Bar Association of the State of New Hampshire, shall be for three years and until his successor is appointed and qualified. However, in the case of first appointments by the governor and council, two members shall be appointed for one year, two for two years and three for three years. Vacancies shall be filled for the remainder of any term in the same manner as the original appointment. The attorney general and the president of the Bar Association of the State of New Hampshire shall be members *ex officio.*

Amend section 4 of said bill by inserting after the word "senate" in the fifth line and after the word "house" in the seventh line the words, complete with index, so that said section as amended shall read as follows: 4. *Senate and House Clerks.* Amend chapter 9 of the Revised Laws by inserting after section 19, as amended by section 1, chapter 85, Laws of 1951, the following new section: 19-a. *Journals.* After each biennial session the Clerk of the Senate shall file with the Secretary of State a printed copy of the journal of the Senate complete with index and the Clerk of the House of Representatives shall file with the Secretary of State a printed copy of the journal of the House complete with index. Such copies shall be filed within thirty days after the close of the session. If a clerk fails to file the copy required by this section within the time limited he shall forfeit the payment provided in section 18 or 19 for such filing.

Amend section 6 of said bill by inserting before the word

"Baer" in the fifth line the words, Lorenzo E., so that said section as amended shall read as follows:

6. *Baer Pond Named.* The body of water located on the northerly side of the Eliot Bridge road, partly in the city of Dover and partly in the town of Rollinsford, which was created from Fresh Creek by the reconstruction of the said Eliot Bridge road in 1950, shall be named and hereafter known as Lorenzo E. Baer Pond.

The report was accepted.

On motion of Mr. Perkins of Concord the rules were suspended and further reading of the amendment dispensed with.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Green of Rollinsford offered the following amendments:

Amend the bill as amended by striking out section 6.

Further amend said bill by renumbering sections 7 and 8 to read sections 6 and 7.

The question being on the amendments.

(Discussion ensued)

Mr. Green of Rollinsford spoke in favor of the amendments.

On a *viva voce* vote the amendments were adopted.

The bill was then ordered to a third reading.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 326, An act relative to the ballot law commission.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 297, An act relative to eligibility for old age assistance of certain persons.

The message further announced that the Senate had voted to adopt the report of the Committee of Conference on House Bill No. 437, An act relative to fees of registers of deeds.

The President appointed Senators Tarlson and Lalumiere to serve on the new Committee of Conference.

The message also announced that the Senate had voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House bill, in the adoption of which amendment the Senate asked the concurrence of the House of Representatives:

House Bill No. 445, An act relative to payment of expenses of forest fires, kindling fires, and penalties for violation of fire laws.

Amend section 2 of said bill by striking out the first six lines and inserting in place thereof the following:

2. *Permits for Kindling Fires.* Amend subsection (b) of section 35 of chapter 233 of the Revised Laws by striking out said subsection and inserting in place thereof the following: (b) No person, firm or corporation shall kindle or cause to be kindled any fire or shall burn or cause to be burned any material, and no city or town shall kindle or maintain a fire on a public dump, in or near woodlands.

On motion of Mr. Grass of Franconia the House concurred in the adoption of the amendment offered by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

Concurrent Resolution

Mr. Black of Bennington offered the following concurrent resolution:

Resolved by the House of Representatives, the Senate Concurring, That the Reverend Dr. Daniel B. Poling be invited to address a joint convention on Thursday, August 9, at 11:00 a. m.

On a *viva voce* vote the concurrent resolution was adopted.

On motion of Mr. Wadleigh of Milford, the rules were suspended and business in order at 3:00 o'clock was made in order at the present time, and the third reading of bills were by their titles only.

Third Readings

House Bill No. 453, An act relative to membership of the judicial council, duties of Clerks of the Senate and House of Representatives, naming of certain bridges over the Blue Star Memorial Highway and Baer Pond, and relative to the children's study home.

Read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 104, An act authorizing the transfer of Endicott Rock State Park to the city of Laconia.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

Reconsideration

Mr. Evans of Lancaster moved that the House reconsider its vote whereby it passed Senate Bill No. 104.

On a *viva voce* vote the motion to reconsider did not prevail.

On motion of Miss Bailey of Newport at 11:30 o'clock the House adjourned.

WEDNESDAY, AUGUST 8, 1951

The House met according to adjournment.

Memorial Services

1. **Vocal Selection.**

2. **Roll Call of Departed Members.**

Name	Residence	Date of Death
SENATORS		
Augustus F. Butman	Derry	June 19
Thomas H. Burbank	Rochester	June 25
REPRESENTATIVES		
John M. Ewing	Laconia	March 7
Mark J. Gorham	Manchester	March 23
George E. Laflamme	Manchester	March 26
Benjamin G. Hall	Marlborough	April 10
James B. Perry	Jaffrey	July 13
Milan H. Collins	Keene	July 19

3. **Scripture Lesson—John 14:1-6.**

Jesus said: Let not your heart be troubled; ye believe in God, believe also in Me. In My Father's house are many mansions; if it were not so, I would have told you. I go to prepare a place for you. And if I go and prepare a place for you, I will come again, and receive you unto Myself; that where I am, there ye may be also. And whither I go ye know, and the way ye know. Thomas saith unto Him: Lord, we know not whither Thou goest, and how can we know the way? Jesus saith unto him: I am the Way, the Truth and the Life; no man cometh unto the Father but by Me.

4. **Prayer.**

O merciful God and heavenly Father, Who hast taught us in Thy Holy Word that Thou dost not willingly afflict or grieve the children of men, look with pity upon the sorrows of Thy servants, the relatives of these departed members of this General Court. Remember them, O Lord, in mercy; imbue their souls with patience; comfort them with a sense of Thy goodness; lift up Thy countenance upon them, and give them peace.

We are grateful our Father, that it has been our privilege to have been associated with these members of our Senate and House of Representatives. We heartily thank Thee for their devoted service to our State, and ask Thee to ever remind us that the best tribute we can pay them is the emulation of their devotion to the cause of democracy.

And we further ask, O Lord, that Thou wilt support us all the day long of this troublous life, until the shadows lengthen and the evening comes, and the busy world is hushed, and fever of life is over, and our work is done. Then in Thy mercy grant us a safe lodging and a holy rest, and peace at the last, through Jesus Christ, our Lord. Amen.

5. **Vocal Selection.**

6. **Benediction.**

Leaves of Absence

Mr. Bass of Peterborough was granted leave of absence for the day on account of important business.

Mr. Pushee of Lyme was granted leave of absence for the day on account of attending a funeral.

Mr. Swain of Barrington was granted leave of absence for Wednesday and Thursday on account of illness.

Mr. Skinner of Orford was granted leave of absence for Wednesday and Thursday on account of important business.

Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules (Sponsored by Mr. McMeekin of Haverhill), House Bill No. 459, An act relating to the listing of tax exempt property. Referred to the Committee on Ways and Means.

By the Committee on Rules (Sponsored by Mr. Turner of Keene), House Bill No. 460, An act relating to liquor revenues. Referred to the Committee on Ways and Means.

On motion of Mr. Peever of Salem the rules were suspended to dispense with the two-day notice for public hearing on House Bills Nos. 459 and 460.

Engrossed Bills

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 62, An act to amend the factors lien law, reported the same under Joint Rule No. 6, with the following amendments, and the recommendation that the bill as amended ought to pass:

Amend section 1 of said bill by striking out the first nine lines and inserting in place thereof the following:

1. *Factors Lien Law.* Amend section 1 of chapter 262-A of Revised Laws as inserted by chapter 161 of the Laws of 1943 as amended by chapter 156 of the Laws of 1949 by striking out the same and substituting the following:

1. *Factors Liens.* If so provided by any written agreement, all factors shall have a continuing general lien upon all merchandise from time to time consigned to or pledged with them, whether in their constructive, actual or exclusive occupancy or possession or not, and upon any accounts receivable or other proceeds resulting from the sale or other disposition of such merchandise, whether or not such merchandise is subject to the lien and upon accounts receivable resulting from any other transactions, for all their

Amend section 2 of said bill by inserting at the end thereof the words and figures, as inserted by chapter 19, Laws of 1945.

On motion of Mr. Geisel of Manchester the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence.

Committee Reports

Mr. Tilton of Laconia, for the Committee on Judiciary, to whom was referred Senate Bill No. 88, An act increasing fees for sheriffs and deputies for court attendance, jurors and witnesses, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass:

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act increasing fees for sheriffs and deputies for court attendance.

Amend said bill by striking out sections 2 and 3.

Further amend said bill by striking out section 4 and by re-numbering and inserting in place thereof the following:

2. *Takes Effect.* This act shall take effect January 1, 1952.

The report was accepted.

The question being on the amendment.

Mr. Gilbert of Wentworth moved that the bill be indefinitely postponed.

(Discussion ensued)

Mr. Willey of Campton spoke in favor of the motion.

Messrs. Perkins of Concord, Clarke of Canaan, Barry of Wilton, and Tilton of Ward 4, Laconia spoke against the motion.

On a *viva voce* vote the motion to indefinitely postpone did not prevail.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Willey of Campton offered the following amendment:

Amend section 1 of said bill by striking out said section and inserting in place thereof the following:

1. *Fees of Sheriffs.* Amend paragraph VI of section 1 of chapter 246 of the Laws of 1947 by striking out said paragraph and inserting in place thereof the following: VI. For each day's actual attendance at any session of the superior court, the sheriff shall receive ten dollars a day; for each day's actual attendance of the superior court by order thereof, each deputy shall receive ten dollars a day; for each day's actual attendance at supreme court by order thereof, the sheriff and each deputy, ten dollars a day; in addition, the sheriff and each deputy, travelling expense to attend any court; said fees and expenses to be audited and allowed by the court, to be paid out of the county treasury. For attending before a justice or municipal court, on trials where his presence is required, each day, three dollars.

The question being on the amendment.

(Discussion ensued)

Messrs. Willey of Campton and Plumer of Bristol spoke in favor of the amendment.

Mr. Sawyer of Concord spoke against the motion.

On a *viva voce* vote the amendment was not adopted.

The bill was ordered to a third reading.

Mr. Sawyer of Concord, for the Committee on Judiciary, to whom was referred Senate Bill No. 100, An act increasing penalties in certain criminal cases and relating to procedure in the supreme court, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act increasing penalties in certain criminal cases, salaries of justices, and disposition of fish and game fines.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Forfeitures.* Amend section 2 of chapter 432 of the Revised Laws by striking out the words "one hundred" in the fifth line and inserting in place thereof the word, five, so that said section as amended shall read as follows: 2. *Libel.* The person making or directing such seizure shall, without unnecessary delay, file a libel before a justice if the

property does not exceed in value thirteen dollars and thirty-three cents, before a municipal court in towns and cities in which there is such court if the property does not exceed in value five hundred dollars, and in other cases in the office of the clerk of the superior court, stating the cause and praying for a decree of forfeiture.

2. *Offenses Against Police of Towns.* Amend section 22 of chapter 440 of the Revised Laws by inserting after the words "shall be" in the eighth line the words, fined not more than one hundred dollars, or, and by inserting at the end of said section the words, or both, so that said section as amended shall read as follows: 22. *Vagabonds, etc.* A vagabond or disorderly person, a person going about begging, a person using any unlawful game or play, a person pretending to have knowledge of physiognomy or palmistry, a person pretending, for money, to tell destinies or fortunes or to discover by any spell or secret art where lost or stolen property may be found, a common drunkard, pilferer, or person wanton and lascivious in speech or behavior, or a person who so neglects his employment or misspends his earnings as not to provide properly for the support of himself and family, shall be fined not more than one hundred dollars, or imprisoned not more than six months, or both.

3. *Offenses Against Chastity.* Amend section 3 of chapter 449 of the Revised Laws by striking out the same and inserting in place thereof the following: 3. *Lewdness.* If any person shall be guilty of gross lewdness or lascivious behavior such person shall be imprisoned not more than six months or fined not more than two hundred dollars, or both, and may also be ordered to recognize, with sufficient sureties, to be of good behavior for a term not exceeding three years.

4. *Against the Person.* Amend section 22 of chapter 455 of the Revised Laws by striking out the word "twenty" in the second line and inserting in place thereof the words one hundred, and by striking out the words "ninety days" in the third line and inserting in place thereof the words, six months, so that said section as amended shall read as follows: 22. *Assaults.* If any person shall assault or beat another, or in any way break the peace, he shall be fined not more than one hundred dollars, or imprisoned not more than six months, and may be ordered to recognize, with sufficient sureties, to

keep the peace and be of good behavior not more than one year.

5. *Bail Commissioners.* Amend chapter 425 of the Revised Laws by inserting after section 27 the following new section: 27-a. *Municipal Court Appointment.* Municipal courts may appoint three or more justices of the peace and quorum as commissioners authorized to fix and receive bail in criminal cases to be brought before the said municipal courts, as hereafter provided.

6. *Courts.* Amend section 9 of chapter 379 of the Revised Laws by inserting after the word "sentence" in the second line the words, or any part thereof, so that said section as amended shall read as follows: 9. *Probation and Suspension of Sentence.* Any court shall have power to suspend imposition or execution of sentence, or any part thereof, and to place the defendant on probation for a period not to exceed five years.

Further amend said bill by renumbering sections 2 and 3 to read sections 7 and 8.

Further amend said bill by striking out section 4 and by renumbering and inserting in place thereof the following:

9. *Costs.* Amend section 23 of chapter 369 of the Revised Laws by inserting after the word "printing" in the second line the words, or such other form of reproduction as the court may by rule prescribe; and further amend said section by inserting after the word "printing" in the third line the words, or reproduction, so that said section as amended shall read as follows:

23. *Briefs.* The prevailing party shall be entitled to tax and recover of the adverse party for the preparation and printing or such other form of reproduction as the court may by rule prescribe, of the briefs of his counsel, the sum of ten dollars together with the actual cost of printing or reproduction not more than twenty-five copies of the briefs, to be allowed by said court, if copies thereof have been furnished, as provided in section 11, within the time limited by rules of the court or any special order made in the case.

Further amend said bill by striking out section 5 and by renumbering and inserting in place thereof the following:

10. Amend paragraph II of section 31 of chapter 377

of the Revised Laws, as amended by chapter 232 of the Laws of 1947, by striking out said paragraph and inserting in place thereof the following:

II. In all other towns, not provided for above as follows: In towns of not less than two thousand nor more than six thousand inhabitants, five hundred dollars, unless otherwise voted by the town, but not less than three hundred dollars. In towns of less than two thousand inhabitants, one hundred and fifty dollars, and such other sum as such town may vote.

Amend said bill by inserting after section 5 the following new section:

11. *Fish and Game Fund.* Amend section 37 of chapter 240 of the Revised Laws by striking out the same and inserting in place thereof the following:

37. *Fines.* The court or justice of any court in which a complaint for a violation of any law, rule or regulation relating to fish, game or fur-bearing animals, is prosecuted, shall, within thirty days after any fine or forfeiture is paid, remit the amount thereof to the director provided however, that from each fine collected by a municipal court, there shall be deducted five dollars and ten per cent of that part of the fine which exceeds five dollars, and the same shall be disposed of as provided in section 12, chapter 377 of the Revised Laws, as amended.

Further amend said bill by renumbering section 6 to read section 12.

The report was accepted and the bill laid upon the table under Rule No. 48. To be taken up Thursday, August 9.

Mr. Pelletier of Nashua, for the Committee on Judiciary, to whom was referred House Bill No. 306, An act prohibiting any subversive organizations, and subversive literature or actions of any kind in the state of New Hampshire, having considered the same, reported the same with the following amendment and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out the title and inserting in place thereof the following:

An act relative to filling vacancies on party tickets after primary elections and relative to corporations.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Vacancies, Filled How and When.* Amend section 52, chapter 33 of the Revised Laws as amended by section 4, chapter 159, Laws of 1947 by striking out said section and inserting in place thereof the following: 52. *Vacancies.* Vacancies upon any party ticket occurring after the holding of any primary shall be filled by the party committee of the state, county, town or ward as the case may require except vacancies in nominations for councilor or state senator which shall be filled by the state committee or the executive committee thereof. The name of any person so appointed shall be placed upon the official ballot provided notice of the appointment is reasonably filed with the secretary of state, except that notices of appointment where no candidate has filed and where the person whose name has been written in withdraws or refuses to accept the nomination or where the sole candidate filing for nomination shall be disqualified for any reason shall be filed with the secretary of state forty days prior to the day of election for all candidates for any office. The number of days herein given shall include Sundays and shall end on the day before election at six o'clock in the afternoon.

2. *Corporations.* Amend section 3 of chapter 274 of the Revised Laws by striking out the same and inserting in place thereof the following: 3. *Name.* The corporate name must end with the abbreviation "Inc." or "Corp." or the word "corporation" or "incorporated." The provisions of this section shall not affect the right of any corporation existing on the date of the passage of this act to continue the use of its name. Subject to the above limitation any corporate name may be assumed which is not in use by any other New Hampshire corporation or any foreign corporation admitted to do business in this state, and which is not so similar thereto or to that of any partnership or association carrying on business in this state, as to be liable to be mistaken for it; provided that such name or similar name may be adopted with the consent in writing of such existing corporation, partnership, or association filed with the articles of agreement.

3. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted and the bill was laid upon the table, under Rule No. 48, to be taken up Thursday, August 9.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

House Bill No. 454, An act relative to First Baptist Society in Hampton, New Hampton Literary and Biblical Institution, Nashua Building and Loan or Cooperative Bank, Rye Water District, Amherst Water Works, West Lebanon Village Fire District, and legalizing certain meetings of the towns of Antrim, Lyman, New Durham, Newport, Wakefield, and Wilmot, and school district meetings in Dublin, Harrisville, Hillsborough, and Lebanon.

The message further announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 405, An act relative to a uniform collections division for state institutions.

The President appointed as members of such committee, on the part of the Senate, Senators Brown and Otis.

The message also announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills to the following House bill, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 240, An act relating to cooperative school districts.

Amend paragraph II of section 16 of chapter 199 as inserted by section 1 of said bill by striking out the words and figures "pursuant to paragraph III of section 4".

Amend paragraph IV of section 16 of chapter 199 as inserted by section 1 of said bill by striking out the word "commissioner" in the fourth line and inserting in place thereof the word, board, and by striking out the figure "4" and inserting in place thereof the figure, 3.

On motion of Mr. Carter of Cornish the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

Resolution

Mr. Pillsbury of Manchester moved that the Delegation from the City of Manchester be discharged from further consideration of House Bill No. 387, An act providing for nonpartisan municipal elections in the city of Manchester, and that it be made a special order for Thursday, August 9, at 11:01 o'clock.

The question being on the motion of Mr. Pillsbury.

(Discussion ensued)

Messrs. Pillsbury and Gagnon of Manchester spoke in favor of the motion.

Messrs. Casey and Sullivan of Manchester spoke against the motion.

Mr. Sanborn of Wakefield asked for a division.

A division being had, 173 members having voted in the affirmative and 105 members having voted in the negative, the motion for a special order prevailed.

On motion of Mr. Sanborn of Wakefield House Bills Nos. 124 and 138 were taken from the table and recommitted to the Committee on Appropriations.

Concurrent Resolutions

Mrs. Saltmarsh of Concord offered the following concurrent resolution:

Whereas, the current session of the New Hampshire General Court is costing the State approximately $6,000 per day, and

Whereas, the current session of the New Hampshire General Court is on the way toward being the longest in the history of the State, and

Whereas, by serious deliberation and expediting its business the New Hampshire General Court could be of great service to the taxpayers of the state, therefore be it

Resolved, by the House of Representatives, the Senate concurring, That the General Court be adjourned not later than Friday, August 17, 1951.

The question being on the concurrent resolution.

(Discussion ensued)

Messrs. Sanborn of Wakefield and Barry of Wilton spoke against the resolution.

Mr. Spalding of Hudson moved that the concurrent resolution be laid upon the table.

On a *viva voce* vote the motion prevailed.

Mr. Martel of Manchester offered the following concurrent resolution:

Be it Resolved by the House of Representatives, the Senate concurring, That an interim commission of twelve members be appointed by the Speaker of the House and the President of the Senate, eight of such members being appointed from the membership of the House and four of such members being appointed from the membership of the Senate, to study the question of the revision of the labor department of the state of New Hampshire to the end that labor as a whole shall receive modern service for the funds appropriated for the department. Said commission shall report to the 1953 legislature the results of its study together with recommendations for any proposed legislation.

The concurrent resolution was referred to the Committee on Labor.

Resolutions

Mr. Danforth of Manchester offered the following resolution:

Whereas, we have learned with sorrow of the passing of Arthur J. Allard, of Manchester, and

Whereas, Mr. Allard was a prominent business man and a leader in civic and social affairs, and was held in high esteem by the citizens of Manchester, now therefore be it

Resolved, That we, the members of the House of Representatives do hereby pay tribute to his memory and extend our sympathy to his family in its bereavement, and be it further

Resolved, That the Clerk be instructed to transmit a copy of these resolutions to the family.

On a *viva voce* vote the resolution was adopted.

Mr. Pelletier of Nashua, Ward 8, offered the following resolution:

Whereas, Rudolph Cormier, Representative from Nashua

for several sessions, is ill at his home in Nashua, therefore be it

Resolved, That we extend our sympathy to our fellow member and our best wishes for a speedy recovery to health, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Representative Cormier.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford, the rules were suspended, and business in order at 3:00 o'clock was made in order at the present time, and the third reading of bills were by their titles only.

Third Readings

Senate Bill No. 88, An act increasing fees for sheriffs and deputies for court attendance, jurors and witnesses.

Read a third time and passed, and sent to the Senate for concurrence in the amendment.

On motion of Mr. French of Weare at 11:38 o'clock the House adjourned.

THURSDAY, AUGUST 9, 1951

The House met according to adjournment.

Joint Convention

Pursuant to a resolution adopted by both branches of the Legislature the Senate came in and both branches being in convention, prayer was offered by Rev. Daniel A. Poling of Deering, New Hampshire.

God of our fathers and our God, we thank Thee for liberty and for freedom that became here a great nation.

We thank Thee for those who, in their time, paid freedom's price, those who counted life itself not too dear an offering to lay upon freedom's altar.

We pray now that we, who have received from them so rich an inheritance, shall be worthy of the gift, that in our time we shall strengthen and enrich the achievements of the

past. That we shall be wise to know our foes and brave to meet them, whether they threaten from without or burrow within. And grant that always we shall be alert to that indifference which is dry rot at the heart of our security.

Vouchsafe unto us courage and selflessness.

Make us worthy of our sons who, while we speak here and pray, suffer and die where battle joins on distant fronts of war.

Grant, O Prince of Peace, that we shall find that peace for which Thou didst die, the peace of justice and of truth, the peace in which alone all men shall at last be secure. Amen.

The convention was addressed by Rev. Daniel A. Poling.

On motion of the Honorable Senator from District No. 3 the convention arose.

House

Leaves of Absence

Mr. Dort of Chesterfield was granted leave of absence for the day on account of illness.

Mr. Huckins of Plymouth, Mr. Hambleton of Goffstown and Mrs. Kendall of Exeter were granted leaves of absence for the day on account of important business.

Engrossed Bills

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

Senate Bill No. 87, An act relative to the restoration of the clam fisheries in New Hampshire.

Senate Bill No. 92, An act providing for the classification of certain surface waters in the counties of Sullivan and Grafton.

House Bill No. 288, An act relative to school district insurance.

House Bill No. 445, An act relative to payment of expenses of forest fires, kindling fires, and penalties for violations of fire laws.

House Bill No. 454, An act relative to First Baptist Society in Hampton, New Hampton Literary and Biblical Institution, Nashua Building and Loan or Cooperative Bank, Rye Water District, Amherst Water Works, West Lebanon Village Fire

District, and legalizing certain meetings of the towns of Antrim, Lyman, New Durham, Newport, Wakefield and Wilmot, and school district meetings in Dublin, Harrisville, Hillsborough, and Lebanon.

House Bill No. 240, An act relating to cooperative school districts.

The report was accepted.

Committee Reports

Mr. Ferguson of Pittsfield, for the Committee on Appropriations, to whom was referred House Bill No. 138, An act relating to the University of New Hampshire, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Matthews of New Hampton, for the Committee on Judiciary, to whom was referred Senate Bill No. 77, An act defining the powers of the justices of the superior court, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass:

Amend section 5 of said bill by striking out the same and inserting in place thereof the following:

5. *Town Lines Disputes.* Amend section 11, chapter 69, Revised Laws, by striking out in the fifth and six lines the words "by themselves or by a committee appointed for that purpose, examine said disputed lines, and their" and inserting in place thereof the words, either examine said disputed lines or appoint a committee for that purpose, and the court's, so that said section as amended shall read as follows: 11. *Disagreement.* When the selectmen of adjoining towns shall disagree in renewing and establishing the lines and bounds of such towns, the superior court for the county in which the town first incorporated or paying the highest tax as aforesaid is situate, upon petition and after notice to the other towns interested, shall, either examine said disputed lines or appoint a committee for that purpose, and the court's decision thereon shall be final; and the court may order either or both towns to pay the costs, as deemed just.

Amend section 6 of said bill by striking out said section and inserting in place thereof the following:

6. *Town Highways, Repairs.* Amend section 3 of part 17 of chapter 90 of the Revised Laws, as inserted by chapter 188, Laws of 1945, by striking out the words, "they may deem" in the fifth line and inserting in place thereof the words, may seem, so that said section as amended shall read as follows. 3. *Petition to Court.* Upon petition of any persons interested, notice to the county commissioners and a hearing thereon, the superior court may order such part of the expense of making and repairing highways through such land as may seem just to be paid by the county; and may, upon like proceedings, modify the order, as may from time to time appear proper.

Amend section 12 of said bill by striking out said section and inserting in place thereof the following:

12. *Court Stenographers.* Amend section 26, chapter 395, Revised Laws, as amended by section 1, chapter 176, Laws of 1947 and section 1, chapter 95, Laws of 1949, by inserting after the word "court" in the second line the words, acting as a body, and by inserting after the word "thousand" in the seventh line the words, three hundred, so that said section as amended shall read as follows: 26. *Appointment.* The superior court, acting as a body, may appoint not more than seven official state court stenographers who shall report the proceedings of the superior court of any county to which they may from time to time be assigned by said court. Each court stenographer shall be sworn to the faithful discharge of his duties and shall receive from the state an annual salary of three thousand three hundred dollars. He shall take full notes of all oral testimony and other proceedings in the trial of causes either at law or in equity including the charge of the justice in all trials before a jury and all comments and rulings of said justice in the presence of the jury during the progress of the trial as well as all statements and arguments of counsel addressed to the court, and during the trial shall furnish for the use of the court or either of the parties a transcript of so much of his notes as the presiding justice may direct. He shall also furnish a transcript of so much of the evidence and other proceedings taken by him as either party

to the trial may require, on payment therefor by such party at the rate fixed by the court as provided in section 29.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Miss Horner of Thornton, for the Committee on Municipal and County Government, to whom was referred Senate Bill No. 82, An act relating to reimbursement for support of county and town paupers, having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Miss Horner of Thornton, for the Committee on Municipal and County Government, to whom was referred Senate Bill No. 83, An act relative to verification of check lists in certain cases, having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Millar of Claremont, for the Committee on Public Welfare and State Institutions, to whom was referred House Bill No. 398, An act establishing a Tri-State Authority to enable the collective construction and operation of institutions in Maine, New Hampshire and Vermont, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by striking out all after the title and inserting in place thereof the following:

Whereas, a tri-state authority to enable the collective construction and operation of institutions in Maine, New Hampshire and Vermont has been proposed, and

Whereas, the State of Vermont has proposed an Interim Commission study in that state before legislative action be taken, and

Whereas, the State of Maine can take no effective action without a constitutional amendment, and

Whereas, this is a new and untried field and should have

the benefit of a detailed Interim Commission study in this state,

Whereas, in view of the action of the other states nothing effective can be done until the next session of the legislature, now therefore, be it

Enacted by the Senate and the House of Representatives in General Court convened:

1. *Commission Authorized.* An Interim Commission to consist of three members of the house and two members of the senate shall be appointed by the speaker of the house and the president of the senate, respectively, to make a thorough and impartial investigation of all matters pertaining to the establishment of a tri-state authority, so-called, or the setting up of reciprocal agreements in the fields sought to be covered by the said authority.

2. *Powers and Duties.* Said commission in performing its duties shall consult with the superintendent of the state hospital, the director of mental hygiene and child guidance clinics, the superintendent of the Laconia state school, the superintendent of the industrial school, the warden of the state prison, the commissioner of public welfare, the president of the state university, and such others as the commission feels have particular knowledge of the problems involved, and shall prepare a report of its findings and recommendations for legislation, if any, to the legislature of 1953.

3. *Compensation.* The members of the commission shall serve without pay.

4. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Downey of Manchester, for the Committee on Public Works, to whom was referred Senate Bill No. 96, An act relating to public construction and contracts for state of New Hampshire, having considered the same, reported the same with the recomendation that the bill be referred to the 1953 Legislature.

The undersigned, a minority of the Committee on Public Works, to whom was referred Senate Bill No. 96, An act relating to public construction and contracts for state of New

Hampshire, having considered the same, and being unable to agree with the majority, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 of the bill by striking out said section and inserting in place thereof the following: 2. Amend section 3, chapter 214 of the Revised Laws by striking out said section and inserting in place thereof the following: 3. *Appeal.* Within fifteen days after such wage rates shall have been determined in accordance with the provisions of sections 1 and 2 above, it may be appealed by an association of employees or employers, any two citizens of the state, or any public awarding agency, such appeal to be heard before a board of three to be appointed biennially by the governor and council. Employers and organized employees in the construction industry shall each be represented by one member of said board and the third member shall be the state employment director. Said appeal board shall convene within three days after receiving the appeal, Saturday, Sunday and holidays excepted, and shall hold a public hearing and shall furnish their decision to the appellant within forty-eight hours after the adjournment of the hearing.

Further amend by striking out section 3 and renumbering section 4 to read section 3.

JOHN P. H. CHANDLER, JR.,
NED SPAULDING,
JOHN E. HORNE,
WM. N. SHAHEEN,
WM. M. FALCONER,
A Minority of the Committee.

The report was accepted.

Mr. Chandler of Warner moved that the minority report be substituted for that of the majority.

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Chandler of Warner, Downey and Martel of Manchester, Ingham of Winchester and Spaulding of Hudson spoke in favor of the motion.

On a *viva voce* vote the motion to substitute prevailed.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mr. Hart of Laconia, for the Special Committee consisting of the members from the county of Belknap, to whom was referred House Bill No. 208, An act relative to clerk hire in the probate office of Belknap county, having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate, subject matter covered by House Bill No. 376.

The report was accepted and the resolution of the committee adopted.

Taken from Table

Senate Bill No. 100, An act increasing penalties in certain criminal cases and relating to procedure in the supreme court.

The question being on the amendment as printed in the Journal of August 8, pages 7 and 8.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

House Bill No. 306, An act prohibiting any subversive organizations and subversive literature or actions of any kind in the state of New Hampshire.

The question being on the amendment as printed in the Journal of August 8, pages 10 and 11.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Special Order

Mr. Pillsbury of Manchester called for the special order for 11:01 o'clock.

It being House Bill No. 387, An act providing for nonpartisan municipal elections in the city of Manchester.

The question being, Shall the bill be read a third time?

(Discussion ensued)

Mr. Pillsbury of Manchester spoke in favor of the question.

Mr. Martel of Manchester moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Messrs. Martel, Sullivan, Kearns, Casey, Donnelly, Betley, Daniel and Healy of Manchester and Mr. Corbett of Concord, Payeur of Pembroke and Mrs. Dondero of Portsmouth spoke in favor of the motion.

Messrs. Underhill of Nashua, Maxwell of Henniker, Gagnon of Manchester and Mrs. Corliss of Manchester spoke against the motion.

Mr. Barry of Wilton moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

Mr. Wedick of Manchester asked for a division.

A division being had, 120 members having voted in the affirmative and 157 members having voted in the negative, the motion to indefinitely postpone did not prevail.

Mr. Martel of Manchester demanded the yeas and nays but subsequently withdrew his demand.

The question being, Shall the bill be read a third time?

Mr. Martel of Manchester offered the following amendment.

Amend section 18 by striking out said section and inserting in place thereof the following:

18. *Takes Effect.* This act shall take effect upon the majority vote at the election to be held on November 6, 1951. The city clerk then in office shall cause to be printed then used the following question: "Shall the municipal election in the city of Manchester be upon a non-partisan basis?" Beneath this question shall be printed the word "Yes" and the word "No" with a square immediately opposite each word, in which the voter may indicate his choice. If a majority of those voting on this question vote in the affirmative, this act shall be declared to have been adopted.

The question being on the amendment.

(Discussion ensued)

Messrs. Martel, Sullivan, Kearns, Donnelly, Betley and Healy, Ward 6 of Manchester, Carter of Cornish, Jannelle of Nashua, Chandler of Warner and Lea of Pembroke spoke in favor of the amendment.

Messrs. Pillsbury and Gagnon of Manchester spoke against the amendment.

Mr. Downey of Manchester moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment.

Mr. Chandler of Warner asked for a division.

A division being had, 165 members having voted in the affirmative and 118 members having voted in the negative, the amendment was adopted and the bill ordered to a third reading.

Reconsideration

Mr. Martel of Manchester moved that the House reconsider its vote whereby House Bill No. 387 was ordered to a third reading.

On a *viva voce* vote the motion to reconsider did not prevail.

Committee Reports

Mr. Sanborn of Wakefield, for the Committee on Appropriations, to whom was referred House Bill No. 446, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1952, reported the same with the following amendment and the recommendation that the bill as amended ought to pass:

Amend section 1 of said bill as follows:

Amend the appropriation for judicial council under paragraph for judicial branch by striking out figure "$1,000.00" and inserting figure $900.00 and by changing total for judicial branch from $197,028.00 to $196,928.00.

Amend the appropriation for the adjutant general's department by striking out the entire paragraph and inserting in place thereof the following:

For adjutant general's department:

Central administrative office:

Salary of adjutant general	$6,960.00
Other personal services	15,780.00
Current expenses	4,200.00
Equipment	750.00
Total	$27,690.00

National guard:		
Personal services	$25,120.00	
Current expenses	8,810.00	
Travel	1,500.00	
Equipment	200.00	
Total		35,630.00
Armories:		
Personal services	$42,170.00	
Current expenses	65,000.00	
Travel	200.00	
Equipment	1,000.00	
Total		108,370.00
National guard rifle and pistol range:		
Personal services	$2,330.00	
Current expenses	2,625.00	
Equipment	200.00	
Total		5,155.00
Officers' uniform allowance		11,250.00
State military reservation, Concord:		
Current expenses	$15,000.00	
Equipment	400.00	
Total		15,400.00
State military reservation, Concord:		
Photostatic:		
Personal services	$2,340.00	
Current expenses	750.00	
Equipment	200.00	
Total		3,290.00
State military reservation, Grenier:		
Air Force Base, Manchester:		
Current expenses	$3,100.00	
Travel	400.00	
Equipment	100.00	
Total		3,600.00

State military reservation,		
Fort Dearborn, Rye:		
Personal services	$2,420.00	
Current expenses	6,150.00	
Equipment	150.00	
Total		8,720.00
Drill expenses—travel		1,000.00
War service recognition—current expenses		300.00
State guard		4,000.00
Total adjutant general's department		$224,545.00
Less estimated revenue		19,810.00
Total net appropriation		$204,595.00

Amend the appropriation for administration and control by striking out the entire paragraph and inserting in place thereof the following:

For administration and control:		
Division of budget and control:		
Salary of comptroller	$6,400.00	
Salary of business supervisor	5,100.00	
Salary of farm supervisor	4,600.00	
Other personal services	6,180.00	
Current expenses	2,000.00	
Travel	1,200.00	
Other expenditures:		
State House Annex Sinking Fund	11,000.00	
Firemans Relief	4,000.00	
Atlantic Marine Fisheries	900.00	
League of Arts and Crafts	8,000.00	
State police assessment	15,862.00	
Total		$65,242.00
Division of accounts:		
Salary of director	$5,100.00	
Other personal services	36,599.00	
Current expenses	1,975.00	
Travel	750.00	
Equipment	3,500.00	
Total		47,924.00

Travel division:		
Personal services	$5,570.00	
Current expenses	150.00	
Total		5,720.00
Division of purchase and property:		
Salary of director	$6,020.00	
Other personal services	28,545.00	
Current expenses	3,450.00	
Travel	400.00	
Equipment	300.00	
Total		38,715.00
Division of buildings and grounds:		
Personal services	$109,615.00	
Current expenses	60,636.00	
Equipment	50.00	
Other expenditures:		
Repairs, drinking fountain, water line, state house	150.00	
Locks on annex court doors	150.00	
Repairs, pylons, annex	5,850.00	
Repairs, state house roof	200.00	
Rewire state house	10,000.00	
Total		186,651.00
Mailing division:		
Personal services	$7,720.00	
Current expenses	560.00	
Equipment	8.00	
Total		8,288.00
Division of personnel:		
State funds:		
Personal services	$27,997.50	
Current expenses	1,837.00	
Travel	1,200.00	
Equipment	385.00	
Total		31,419.50

Federal funds:		
Personal services	$9,690.00	
Current expenses	2,250.00	
Travel	600.00	
Total	$12,540.00	
Less federal income	12,540.00	
Net appropriation		0.00
Total for administration and control		$383,959.50

Amend the appropriation for the department of agriculture by striking out the entire paragraph and inserting in place thereof the following:

For department of agriculture:		
Office of commissioner:		
Salary of commissioner	$5,400.00	
Other personal services	23,710.00	
Current expenses	2,910.00	
Travel	6,000.00	
Equipment	1,153.75	
Other expenditures:		
Feed, seed and fertilizer services	12,575.00	
Total		$51,748.75
Division of markets and standards, Bureau of markets:		
Personal services	$19,535.00	
Current expenses	11,200.00	
Travel	3,500.00	
Equipment	388.50	
Other expenditures:		
Cooperative grant to New England crop reporting service	800.00	
Radio transcription	25.00	
Total		35,448.50

Division of animal industry:		
Salary of state veterinarian	$5,200.00	
Other personal services	23,900.00	
Current expenses	5,655.00	
Travel	4,000.00	
Equipment	618.75	
Other expenditures	30,510.00	
Total		69,883.75
Insect and plant disease suppression and control:		
Personal services	$17,065.00	
Current expenses	1,110.00	
Travel	3,000.00	
Equipment	67.00	
Total		21,242.00
Milk control:		
Personal services	$11,160.00	
Current expenses	1,150.00	
Travel	2,000.00	
Total	$14,310.00	
Less estimated revenue	14,310.00	
Net appropriation		0.00
Bureau of weights and measures:		
Personal services	$17,490.00	
Current expenses	2,450.00	
Travel	5,700.00	
Equipment	1,434.50	
Total	$27,074.50	
Lesse estimated revenue	20,000.00	
Net appropriation		7,074.50
Economic poisons law:		
Current expenses	$100.00	
Travel	500.00	

Other expenditures	2,400.00	
Total	$3,000.00	
Less estimated revenue	$3,000.00	
Net appropriation		0.00
Board of veterinary examiners:		
Current expenses	$55.00	
Travel	35.00	
Other expenditures	110.00	
Total		200.00
Farm products inspection fund:		
Current expenses	300.00	
Travel	1,535.00	
Other expenditures:		
Temporary services	3,165.00	
Total	$5,000.00	
Less estimated revenue **	5,000.00	
Net appropriation		0.00
Licensing of live poultry dealers	$1,170.00	
Less revenue	1.170.00	
Net appropriation		0.00
Licensing of livestock dealers	$15.00	
Less revenue	15.00	
Net appropriation		0.00
Grants: *		
State soil conservation committee		500.00
Eastern States Exhibit		2,000.00
Total for department of agriculture		$188,097.50

* The provisions of section 8, chapter 231 of the Revised Laws is suspended for the fiscal year ending June 30, 1952.

** In this appropriation any revenue in excess of the estimate shall be available for said purposes as the governor and council may approve.

Amend the appropriation for the forestry division (forestry and recreation) by striking out the entire paragraph and inserting in place thereof the following:

For forestry division (forestry and recreation):

District fire supervision:		
Personal services	$12,990.00	
Current expenses	3,000.00	
Travel	1,000.00	
Total		$16,990.00
Lookout stations:		
Personal services		34,925.00
Warden training conferences:		
Current expenses	$2,000.00	
Other expenditures:		
State's share of town bills	3,000.00	
Total		5,000.00
Prevention of fires:		
Personal services	$5,290.00	
Current expenses	2,920.00	
Travel	300.00	
Equipment	7,500.00	
Other expenditures	1,000.00	
Total		17,010.00
Forest fire bills to towns		2,000.00
White pine blister rust:		
Personal services	$11,000.00	
Current expenses	1,120.00	
Total		12,120.00
Northeastern forest fire compact:		
Current expenses	$592.00	
Travel	100.00	
Total		692.00

Administration:		
Salary of state forester	$5,100.00	
Other personal services	21,725.00	
Current expenses	4,675.00	
Travel	1,200.00	
Equipment	250.00	
Total		32,950.00
Nursery:		
Personal services	$12,438.40	
Current expenses	3,400.00	
Equipment	150.00	
Total		15,988.40
Reforestation:		
Personal services	$2,768.00	
Travel	900.00	
Total		3,668.00
Cooperative forest management:		
Personal services	$7,250.00	
Current expenses	664.00	
Travel	3,200.00	
Equipment	200.00	
Total		11,314.00
Caroline A. Fox Research Fund:		
Personal services	$7,030.00	
Current expenses	3,840.00	
Travel	500.00	
Equipment	60.00	
Total	$11,430.00	
Less estimated revenue and balance	11,430.00	
Net appropriation		0.00

Forest improvement fund:		
Personal services	$23,028.00	
Current expenses	1,010.00	
Travel	2,500.00	
Equipment	4,550.00	
Other expenditures	1,000.00	
Total	$32,088.00	
Less estimated revenue and balance	32,088.00	
Net appropriation		0.00
Cooperative fire protection—federal:		
Personal services	$29,350.00	
Current expenses	29,020.00	
Travel	2,500.00	
Equipment	8,899.00	
Total	$69,769.00	
Less estimated revenue and balance	69,769.00	
Net appropriation		0.00
Cooperative planting—federal:		
Personal services	$2,604.00	
Current expenses	3,940.00	
Equipment	660.00	
Other expenditures:		
Additional nursery land	1,500.00	
Total	$8,704.00	
Less estimated balances and revenue	8,704.00	
Net appropriation		0.00
Total for forestry		$152,657.40
Less estimated revenue		1,006.80
Net appropriation		$151,650.60

Amend the appropriation for department of health under the paragraph for communicable disease control: state; by striking out the figure $100,000.00 for subsistence and support of persons and inserting in place thereof the figure $85,000.00; by striking out the figure $128,470.00 for total and inserting in place thereof the figure $113,470.00; by striking out the figure $510,358.79 for total for department of health, state, and inserting in place thereof the figure $495,358.79.

Amend the appropriation for the insurance department by striking out the entire paragraph and inserting in place thereof the following:

For insurance department:

Office of commissioner:		
Salary of commissioner	$6,400.00	
Salary of deputy commissioner	5,460.00	
Other personal services	24,970.00	
Current expenses	7,025.00	
Travel	1,000.00	
Equipment	500.00	
Total		$45,355.00
Rating division:		
Personal services	$5,150.00	
Current expenses	1,225.00	
Equipment	550.00	
Travel	800.00	
Total		7,725.00
Real estate division:		
Personal services	$336.00	
Current expenses	275.00	
Total	$611.00	
Less revenue	611.00	
Net appropriation		0.00
Total for insurance department		$53,080.00

Amend the paragraph relative to old age assistance under public welfare by striking out the figure $1,289,728.91 and inserting in place thereof the figure $1,026,510.53, by striking out the figure $1,316,090.40 where it occurs twice in said paragraph and inserting in place thereof the figure $1,579,308.78. Further amend the appropriation for public welfare by striking out the figure for total $3,738,944.24 and inserting in place thereof the figure $3,475,725.86 and by striking out the figure for the net appropriation for public welfare, $3,263,411.40 and inserting in place thereof the figure $3,000,194.02.

Amend the appropriation for the secretary of state by striking out the entire paragraph and inserting in place thereof the following:

For secretary of state:		
Office of secretary:		
Salary of secretary	$6,080.00	
Salary of deputy secretary	4,580.00	
Other personal services	20,220.00	
Current expenses	2,200.00	
Travel	750.00	
Equipment	260.00	
Total		$34,090.00
Elections:		
Personal services	$475.00	
Current expenses	35,000.00	
Travel	250.00	
Total		35,725.00
Photostat division:		
Personal services	$3,165.00	
Current expenses	1,225.00	
Total		4,390.00
Total for secretary of state		$74,205.00

Amend the appropriation for state library by striking out the entire paragraph and inserting in place thereof the following:

For state library:		
Administration:		
Salary of librarian	$4,150.00	
Salary of assistant librarian	3,520.00	
Other personal services	59,810.00	
Current expenses	5,425.00	
Travel	550.00	
Equipment	13,000.00	
Total		$86,455.00
Extension:		
Current expenses	$3,280.00	
Travel	3,300.00	
Equipment	9,350.00	
Other expendiures:		
Summer institute	300.00	
Total		16,230.00
Total for state library		$102,685.00

Amend the appropriation for the state treasury by striking out the entire paragraph and inserting in place thereof the following:

For state treasury:		
Office of treasurer:		
Salary of treasurer	$5,500.00	
Salary of deputy	3,600.00	
Other personal services	31,286.65	
Current expenses	8,550.00	
Travel	200.00	
Equipment	905.00	
Other expenditures:		
Microfilming checks	2,600.00	
Printing reports	4,100.00	
Total		$56,741.65

Highway division:		
Personal services	$9,406.65	
Current expenses	5,150.00	
Equipment	900.00	
Total	$15,456.65	
Less transfer from highway fund	15,456.65	
Net appropriation		0.00
Bounties		12,000.00
Trust funds		37,087.27
Total for state treasury		$105,828.92

Amend the appropriation for the soldiers' home by striking out the entire paragraph and inserting in place thereof the following:

For soldiers' home:		
Office of the commandant:		
Salary of the commandant	$3,020.00	
Other personal services	2,961.91	
Current expenses	425.00	
Travel	75.00	
Total		$6,481.91
Custodial care:		
Personal services	$14,479.59	
Current expenses	1,225.00	
Total		15,704.59
Professional care and treatment:		
Personal services	$9,492.09	
Current expenses	800.00	
Total		10,292.09
Operation of plant:		
Personal services	$12,788.34	
Current expenses	2,300.00	
Total		15,088.34

Maintenance of plant:		
Current expenses		475.00
Operation and maintenance (federal):		
Current expenses	$18,000.00	
Other expenditures:		
Repairs	2,000.00	
Total	$20,000.00	
Less revenue	20,000.00	
Net appropriation		0.00
Total for soldiers' home		$48,041.93
Less revenue		3,800.00
Net appropriation		$44,241.93

Amend the appropriation for the state prison by striking out the entire paragraph and inserting in place thereof the following:

For state prison:		
Administration:		
Salary of warden	$5,100.00	
Other personal services	10,276.20	
Current expenses	1,004.50	
Travel	803.60	
Equipment	245.00	
Total		$17,429.30
Instruction		4,116.00
Custodial care:		
Salary of deputy warden	$3,035.00	
Other personal services	125,345.00	
Current expenses	81,372.30	
Equipment	1,754.20	
Total		211,506.50

Auxiliary to prison care:		
Personal services	$4,802.00	
Current expenses	3,998.40	
Other expenditures—awards	980.00	
Total		9,780.40
Operation of plant:		
Personal services	$6,390.00	
Current expenses	7,746.50	
Total		14,136.50
Maintenance of plant:		
Current expenses	$10,196.90	
Equipment	2,548.00	
Total		12,744.90
Agriculture:		
Personal services	$8,238.86	
Current expenses	18,250.50	
Equipment	4,950.96	
Total		31,440.32
Parole:		
Personal services	$14,543.20	
Current expenses	1,372.00	
Travel	3,430.00	
Equipment	171.50	
Total		19,516.70
Total for state prison		320,670.62
Less revenue		32,947.60
Net appropriation for state prison		$287,723.02

Amend the appropriation for the board of education by striking out the entire paragraph and inserting in place thereof the following:

For board of education:

Administration:	
Salary of commissioner	$8,250.00

Other personal services	93,071.76	
Current expenses	15,210.00	
Travel	6,480.00	
Equipment	1,350.00	
Total		$124,361.76
Foundation aid:		
Transportation	$5,000.00	
State aid to school districts	600,000.00	
Total		605,000.00
State wide supervision:		
Personal services: (net))	$118,000.00	
Other expenditures:		
Superintendents' conference	1,500.00	
Total		119,500.00
Smith-Hughes (state):		
Personal services	$6,450.00	
Current expenses	250.00	
Travel	900.00	
Total		7,600.00
Smith-Hughes (federal):		
Personal services	$6,450.00	
Current expenses	250.00	
Travel	1,200.00	
Total	$7,900.00	
Less revenue	7,900.00	
Net appropriation		0.00
Vocational rehabilitation (state):		
Current expenses	$18,400.00	
Travel	500.00	
Equipment	600.00	
Total		19,500.00

Vocational rehabilitation (federal):		
Personal services	$18,925.90	
Current expenses	21,643.00	
Travel	3,000.00	
Equipment	800.00	
Total	$44,368.90	
Less revenue	44,368.90	
Net appropriation		0.00
George-Barden (state):		
Personal services	$7,866.35	
Current expenses	300.00	
Travel	1,500.00	
Total		9,666.35
George-Barden (federal):		
Personal services	$8,266.35	
Current expenses	300.00	
Travel	2,000.00	
Total	$10,566.35	
Less revenue	10,566.35	
Net appropriation		0.00
N. H. technical institute—Manchester:		
Personal services	$96,840.00	
Current expenses	23,020.00	
Travel	500.00	
Equipment	4,000.00	
Other expenditures:		
Medical services	150.00	
Total		124,510.00
N. H. technical institute—Portsmouth:		
Personal services	$53,415.00	
Current expenses	21,850.00	
Travel	500.00	
Equipment	3,000.00	
Total		78,765.00

Technical institute (Concord office):		
Personal services	$9,720.00	
Current expenses	1,656.00	
Travel	900.00	
Equipment	225.00	
Total		12,501.00
On-the-job-training for veterans (state):		
Current expenses	$2,000.00	
Equipment	200.00	
Total		2,200.00
On-the-job-training for veterans (federal):		
Personal services	$16,541.64	
Travel	2,501.64	
Total	$19,043.28	
Less revenue	19,043.28	
Net appropriation		0.00
Area vocational schools:		
Personal services	$2,220.00	
Current expenses	400.00	
Travel	200.00	
Other expenditures:		
Reimbursements to school districts	58,000.00	
Total		60,820.00
School lunch program:		
Personal services	$9,700.00	
Current expenses	1,050.00	
Travel	900.00	
Equipment	50.00	
Total		11,700.00
Education of the deaf:		
Current expenses	$45,000.00	
Travel	350.00	
Equipment	100.00	
Total		45,450.00

Keene teachers college:		
Personal services	$348,200.00	
Current expenses	129,360.00	
Travel	2,200.00	
Equipment	5,750.00	
Total		485,510.00
Plymouth teachers college:		
Personal services	$270,065.00	
Current expenses	96,900.00	
Travel	1,800.00	
Equipment	7,000.00	
Total		375,765.00
Scholarships—world war orphans:		2,700.00
Board of nurse examniers:		
Personal services	$6,970.00	
Current expenses	830.00	
Travel	500.00	
Total	$8,300.00	
Less revenue and balance	8,300.00	
Net appropriation		0.00
Total for board of education		$2,085,549.11
Less revenue		702,929.00
Net appropriation		$1,382,620.11

In addition to the above appropriation said department shall receive for disbursement the income of the teachers colleges' dormitories and practice schools, revenue from tuitions received by the Manchester and Portsmouth state trade schools, and the sums paid by school districts for the salaries of superintendents under section 44, chapter 135 of the Revised Laws. In this department any balance, excepting the foundation fund, which may be unexpended in any fiscal year, shall be placed in a special fund available for use for maintenance purposes the following year by and with the consent of the governor and council.

No part of this appropriation shall be expended at the teachers colleges for any nursery school program.

Amend the appropriation for the board of fire control by striking out the entire paragraph and inserting in place thereof the following:

For board of fire control:		
Salary of fire marshal	$5,000.00	
Other personal services	8,610.00	
Current expenses	1,890.00	
Travel	2,250.00	
Total for board of fire control		$17,750.00

Amend the appropriation for board of probation by striking out the entire paragraph and inserting in place thereof the following:

For board of probation:		
Salary of director	$5,020.00	
Other personal services	68,430.00	
Current expenses	6,056.00	
Travel	11,400.00	
Equipment	333.00	
Total for board of probation		$91,239.00

Amend the appropriation for public works division of department of public works and highways by striking out the entire paragraph and inserting in place thereof the following:

For public works division of department of public works and highways	$13,500.00

Amend the appropriation for veterans council by striking out the entire paragraph and inserting in place thereof the following:

For veterans council:	
Personal services	$6,000.00
Current expenses	810.00
Travel	2,000.00

Equipment	250.00	
Veterans burials	11,000.00	
Total for veterans council		$20,060.00

Amend the appropriation for water resources board by striking out the entire paragraph and inserting in place thereof the following:

For water resources board:		
Personal services	$19,985.00	
Current expenses	1,230.00	
Travel	1,500.00	
Equipment	250.00	
Stream flow gauging	10,350.00	
Total for water resources board		$33,315.00
Less transfer from highway funds	$2,750.00	
Less transfer from Pittsburgh project*	5,000.00	
Less other income	1,200.00	
		8,950.00
Net appropriation		$24,365.00

* Transferred by vote of the directors.

Amend the appropriation for bank commissioner by striking out the entire paragraph and inserting in place thereof the following:

For bank commissioner:		
Salary of commissioner	$6,520.00	
Salary of deputies	9,280.00	
Other personal services	40,550.00	
Current expenses	5,640.00	
Travel	9,928.00	
Equipment	784.00	
Total for bank commissioner	$72,702.00	
Less revenue*	65,000.00	
Net appropriation		$7,702.00

Amend the appropriation for planning and development commission by striking out the entire paragraph and inserting in place thereof the following:

For planning and development commission:		
Salary of director	$5,400.00	
Other personal services	73,857.00	
Current expenses	55,150.00	
Travel	11,000.00	
Equipment	2,000.00	
Other expenditures:		
Regional associations*	16,950.00	
Eastern states exposition	8,000.00	
Total for planning and development commission	$172,357.00	
Less revenue	7,150.00	
Net appropriation		**$165,207.00

* This appropriation shall be administered by the state planning and development commission for the aid of regional development associations. Not more than $2,825.00 may be allotted by the commission to any one regional association whose bounds, form of organization and program shall first have been approved by the commission. Any unexpended portion of this appropriation shall lapse and shall not be transferred to any other state appropriation.

** The state planning and development commission is hereby authorized to make such transfers of funds within this appropriation as said commission may deem advisable, subject to approval of the governor and council.

Amend the appropriation for public service commission by striking out the entire paragraph and inserting in place thereof the following:

For public service commission:		
Salary of 3 commissioners	$20,400.00	
Other personal services	84,530.00	
Current expenses	19,375.00	
Travel	8,000.00	
Equipment	1,000.00	
Aids to navigation	1,600.00	
Total for public service commission	$134,905.00	
Less revenue*	49,000.00	
Net appropriation		$85,905.00

Amend the appropriation for water pollution commission by striking out the entire paragraph and inserting in place thereof the following:

For water pollution commission:		
Personal services	$27,166.00	
Current expenses	4,750.00	
Travel	5,000.00	
Equipment	750.00	
Total		$37,666.00
Federal funds:		
Personal services	$5,565.00	
Current expenses	465.00	
Travel	3,000.00	
Equipment	500.00	
Total	$9,530.00	
Less revenue	9,530.00	
Net appropriation		0.00
Total for water pollution commission		$37,666.00

* To be spent only upon approval of governor and council.

Amend the appropriation for civil defense by striking out the entire paragraph and inserting in place thereof the following:

For civil defense:		
Personal services	$17,520.00	
Current expenses	6,178.00	
Travel	2,000.00	
Equipment	*50,000.00	
Other expenditures	2,000.00	
Total		$77,698.00
Field staff:		
Current expenses	$7,260.00	
Travel	7,340.00	
Total		14,600.00
Total for civil defense		$92,298.00

* To be spent only upon approval of governor and council.

Amend the figure for the total net appropriation by striking out $14,607,987.63, and inserting in place thereof the figure $13,700,279.90.

Amend said bill by inserting after section 2 the following new section:

3. **Old Age Assistance, Increase in Municipal Participation.** Amend section 21 of chapter 126 of the Revised Laws, as amended by section 7, chapter 90, Laws of 1951, by striking out said section and inserting in place thereof the following: **21. Reimbursement of Fund.** All expenditures in carrying out the purposes of this chapter relative to old age assistance or aid to the permanently and totally disabled shall be made in the first instance from the public assistance fund hereby created but each county or town shall, within sixty days from notice thereof, reimburse said fund for all assistance granted to aged persons for which such county or town is liable to the extent of thirty per cent thereof, and shall reimburse said fund for all assistance granted to permanently and totally disabled persons for which such county or town is liable to the extent of twenty-five per cent thereof.

Further amend said bill by renumbering section 3 to read section 4.

On motion of Mr. Sanborn of Wakefield House Bill No. 446 was made a special order for Tuesday, August 14, at 11:01 o'clock.

Mr. Sanborn of Wakefield, for the Committee on Appropriations, to whom was referred House Bill No. 447, An act making appropriations for the expenses of the state of New Hampshire for the year ending June 30, 1953, reported the same with the following amendment and the recommendation that the bill as amended ought to pass:

Amend section 1 of said bill as follows:

Amend the appropriation for judicial council under paragraph for judicial branch by striking out figure "$1,000.00" and inserting figure, $900.00 and by changing total for judicial branch from "$197,558.00" to $197,458.00.

Amend the appropriation for the adjutant general's department by striking out the entire paragraph and inserting in place thereof the following:

For adjutant general's department:		
Central administration office:		
Salary of adjustment general	$7,060.00	
Other personal services	16,440.00	
Current expenses	4,300.00	
Equipment	750.00	
Total		$28,550.00
National guard:		
Personal services	$25,780.00	
Current expenses	8,525.00	
Travel	1,500.00	
Equipment	200.00	
Total		36,005.00
Armories:		
Personal services	$43,345.00	
Current expenses	72,000.00	
Travel	200.00	
Equipment	1,000.00	
Total		116,545.00
National guard rifle and pistol range:		
Personal services	$2,450.00	
Current expenses	1,825.00	
Equipment	200.00	
Total		4,475.00
Officers' uniform allowance		11,250.00
State military reservation, Concord:		
Current expenses	$12,500.00	
Equipment	400.00	
Total		12,900.00
State military reservation, Concord:		
Photostatic:		
Personal services	$2,460.00	
Current expenses	750.00	
Equipment	200.00	
Total		3,410.00

State military reservation,		
Grenier Air Force Base, Manchester:		
Current expenses	$3,100.00	
Travel	400.00	
Equipment	100.00	
Total		3,600.00
State military reservation,		
Fort Dearborn, Rye:		
Personal services	$2,540.00	
Current expenses	5,425.00	
Equipment	150.00	
Total		$8,115.00
Drill expenses—travel		1,000.00
War service recognition—current expenses		300.00
State guard		4,100.00
Total adjutant general's department		$230,250.00
Less estimated revenue		19,810.00
Total net appropriation		$210,405.00

Amend the appropriation for administration and control by striking out the entire paragraph and inserting in place thereof the following:

For administration and control:		
Division of budget and control:		
Salary of comptroller	$6,500.00	
Salary of business supervisor	5,200.00	
Salary of farm supervisor	4,700.00	
Other personal services	6,480.00	
Current expenses	2,000.00	
Travel	1,200.00	
Other expenditures:		
State house annex sinking fund	10,400.00	
Firemen's relief	4,000.00	
Atlantic marine fisheries	900.00	
League of Arts and Crafts	8,000.00	
State police assessment	16,395.00	
Total		$65,775.00

Division of accounts:		
Salary of director	$5,200.00	
Other personal services	37,379.00	
Current expenses	1,975.00	
Travel	750.00	
Total		45,304.00
Travel division:		
Personal services	$5,690.00	
Current expenses	150.00	
Total		5,840.00
Division of purchase and property:		
Salary of director	$6,180.00	
Other personal services	28,420.00	
Current expenses	3,450.00	
Travel	400.00	
Equipment	300.00	
Total		38,750.00
Division of buildings and grounds:		
Personal services	$113,196.00	
Current expenses	60,561.00	
Total		173,757.00
Mailing division:		
Personal services	$7,960.00	
Current expenses	560.00	
Total		8,520.00
Division of personnel:		
State funds:		
Personal services	$29,050.00	
Current expenses	1,837.00	
Travel	1,200.00	
Total		32,087.00

Federal funds:		
Personal services	$10,090.00	
Current expenses	2,250.00	
Travel	600.00	
Total	$12,940.00	
Less federal income	12,940.00	
Net appropriation		0.00
Total administration and control		$370,033.00

Amend the appropriation for the department of agriculture by striking out the entire paragraph and inserting in place thereof the following:

For department of agriculture:		
Office of commissioner:		
Salary of commissioner	$5,500.00	
Other personal services	27,220.00	
Current expenses	3,860.00	
Travel	6,000.00	
Equipment	456.00	
Other expenditures:		
Feed, seed and fertilizer service	13,360.00	
Total		$56,396.00
Division of market and standards, Bureau of markets:		
Personal services	20,285.00	
Current expenses	11,200.00	
Travel	3,500.00	
Other expenditures:		
Cooperative grant to New England crop reporting service	800.00	
Radio transcription	25.00	
Total		35,810.00
Division of animal industry:		
Salary of state veterinarian	5,300.00	
Other persoal services	24,140.00	

Current expenses	5,655.00	
Travel	4,000.00	
Equipment	575.00	
Other expenditures:		
Tubercular testing	30,000.00	
Veterinarian service other than testing epidemics and inspections	500.00	
Radio transcriptions	10.00	
Total		70,180.00
Insect and plant suppression and control:		
Personal services	17,185.00	
Current expenses	1,110.00	
Travel	3,000.00	
Total		21,295.00
Milk control:		
Personal services	$11,460.00	
Current expenses	1,150.00	
Travel	2,000.00	
Total	$14,610.00	
Less estimated revenue	14,610.00	
Net appropriation		0.00
Bureau of weights and measures:		
Personal services	17,940.00	
Current expenses	2,450.00	
Travel	5,700.00	
Total	26,090.00	
Less revenue	20,000.00	
Net appropriation		6,090.00
Economic poison law:		
Current expenses	100.00	
Travel	500.00	

Other expenditures	2,400.00	
Total	3,000.00	
Less estimated revenue	3,000.00	
Net appropriation		0.00
Board of veterinary examiners:		
Current expenses	55.00	
Travel	35.00	
Other expenditures	110.00	
Total		200.00
Farm products inspection fund:		
Current expenses	300.00	
Travel	1,415.00	
Other expenditures:		
Temporay services	3,285.00	
Total	5,000.00	
Less estimated revenue *	5,000.00	
Net appropriation		0.00
Licensing of live poultry dealers	1,170.00	
Less revenue *	1,170.00	
Net appropriation		0.00
Licensing of livestock dealers	$15.00	
Less revenue	15.00	
Net appropriation		0.00

* In this appropriation any revenue in excess of the estimate shall be available for said purposes as the governor and council may approve.

Grants: **	
State soil conservation committee	500.00
Eastern States Erhibit	2,000.00
Total department of agriculture	$192,471.00

** The provisions of section 8, chapter 231 of the Revised Laws is suspended for the fiscal year ending June 30, 1953.

Amend the appropriation for the forestry division (forestry and recreation) by striking out the entire paragraph and inserting in place thereof the following:

For forestry division (forestry and recreation):

District fire supervision:		
Personal services	$13,620.00	
Current expenses	3,000.00	
Travel	1,000.00	
Total		$17,620.00
Lookout stations:		
Personal services		35,840.00
Warden training conferences:		
Current expenses	$2,000.00	
Other expenditures:		
State's share of town bills	3,000.00	
Total		5,000.00
Prevention of fires:		
Personal services	$5,342.50	
Current expenses	2,920.00	
Travel	300.00	
Equipment	3,000.00	
Other expenditures	1,000.00	
Total		12,562.50
Forest fire bills to towns		2,000.00
White pine blister rust:		
Personal services	$11,000.00	
Current expenses	1,120.00	
Total		12,120.00
Northeastern forest fire control:		
Current expenses	$592.00	
Travel	100.00	
Total		692.00

Administration:		
Salary of state forester	$5,200.00	
Other personal services	22,365.00	
Current expenses	4,925.00	
Travel	1,200.00	
Equipment	250.00	
Total		33,940.00
Nursery:		
Personal services	$12,541.07	
Current expenses	3,400.00	
Equipment	150.00	
Total		16,091.07
Reforestation:		
Personal services	$2,784.88	
Travel	900.00	
Total		$3,684.88
Cooperative forest management:		
Personal services	$7,250.00	
Current expenses	664.00	
Travel	3,200.00	
Equipment	200.00	
Total		11,314.00
Caroline A. Fox Research Fund:		
Personal services	$7,475.00	
Current expenses	3,550.00	
Travel	500.00	
Equipment	60.00	
Total	$11,585.00	
Less estimated revenue and balance	11,585.00	
Net appropriation		0.00

Forest improvement fund:		
Personal services	$23,416.60	
Current expenses	1,010.00	
Travel	2,500.00	
Equipment	50.00	
Other expenditures	1,000.00	
Total	$27,976.60	
Less estimated revenue and balance	27,976.60	
Net appropriation		0.00
Cooperative fire protection—federal:		
Personal services	$30,410.00	
Current expenses	29,300.00	
Travel	1,700.00	
Equipment	7,959.00	
Total	$69,369.00	
Less estimated revenue and balance	69,369.00	
Net appropriation		0.00
Cooperative planting—federal:		
Personal services	$2,444.00	
Current expenses	4,760.00	
Equipment	1,500.00	
Total	$8,704.00	
Less estimated revenue and balance	8,704.00	
Net appropriation		0.00
Total for forestry division		$150.864.45
Less revenue		1,006.80
Net appropriation		$149,857.65

Amend the appropriation for department of health under the paragraph for communicable disease control: state, by striking out the figure $100,000.00 for subsistence and support of persons and inserting in place thereof the figure $85,000.00; by striking out the figure $129,310.00 for total and inserting in place thereof the figure $114,310.00; and by striking out the figure $520,320.99 for total for department of health, state, and inserting in place thereof the figure $505,320.99.

Amend the appropriation for the insurance department by striking out the entire paragraph and inserting in place thereof the following:

For insurance department:		
Office of commissioner:		
Salary of commissioner	$6,500.00	
Salary of deputy commissioner	5,620.00	
Other personal services	25,360.00	
Current expenses	5,625.00	
Travel	1,000.00	
Equipment	500.00	
Total		$44,605.00
Rating division:		
Personal services	$5,390.00	
Current expenses	1,225.00	
Travel	800.00	
Equipment	550.00	
Total		7,965.00
Real estate division:		
Personal services	$336.00	
Current expenses	275.00	
Equipment	235.00	
Total	$846.00	
Less estimated revenue	846.00	
Net appropriation		0.00
Total for insurance department		$52,570.00

Amend the appropriation for public welfare by striking out the entire paragraph and inserting in place thereof the following:

For public welfare:		
Administration:		
Board of public welfare	$3,000.00	
Salary of commissioner	5,800.00	
Other personal services	102,170.00*	
Current expenses	25,612.00	
Travel	4,180.00	
Equipment	1,000.00	
Other expenditures:		
Merit system	3,500.00	
Employees retirement	32,500.00	
Total		$177,762.00

* This amount includes $3,000 to be paid to department of attorney general for legal services.

State services:		
Personal services	$13,020.00	
Current expenses	225.00	
Travel	750.00	
Equipment	150.00	
Total		$14,145.00
Blind services:		
Personal services	$13,785.00	
Current expneses	1,229.00	
Travel	2,500.00	
Equipment	200.00	
Other expenditures:		
Blind education	16,000.00	
Sight conservation	16,000.00	
Total		$49,714.00
Field services:		
Personal services	$297,300.00	
Current expenses	36,011.00	

Travel	31,600.00	
Equipment	3,150.00	
Total		368,061.00
Child welfare services—federal:		
Personal services	$42,990.00	
Travel	10,300.00	
Other expenditures	2,100.00	
Total	$55,390.00	
Less revenue *	55,390.00	
Net appropriation		0.00

* This amount available for expenditure only if funds are available as a federal grant. If the federal grant exceeds the above estimate such excess may be expended with the approval of the governor and council for said purposes.

Vocational rehabilitation—federal:		
Personal services	$10,275.00	
Current expenses	25.00	
Travel	1,800.00	
Other expenditures	5,000.00	
Total	$17,100.00	
Less revenue *	17,100.00	
Net appropriation		0.00
Vocational rehabilitation—state:		
Case services		5,000.00
Special children's fund		2,500.00
John Nesmith fund		3,700.00
Old age assistance:		
State's share		1,111,177.56
Towns and counties	$1,575,097.53	
Less revenue	1,575,097.53	
Net appropriation		0.00
Federal	$2,564,049.98	
Less revenue *	2,564,049.98	
Net appropriation		0.00

Aid to dependent children:		
State's share		1,708,204.30
Federal	$1,074,053.88	
Less revenue *	1,074,053.88	
Net appropriation		0.00
Aid to needy blind:		
State's share		126,652.61
Federal	$111,406.01	
Less revenue *	111,406.01	
Net appropriation		0.00

* This amount available for expenditure only if funds are available as a federal grant. If the federal grant exceeds the above estimate such excess may be expended with the approval of the governor and council for said purposes.

Aid to totally and permanently disabled:		
State's share		71,215.80
Towns and counties	$68,396.58	
Less revenue *	68,396.58	
Net appropriation		0.00
Federal	$133,973.92	
Less revenue *	133,973.92	
Net appropriation		0.00
Total for public welfare		3,638,132.27
Less revenue		221,500.00
Net appropriation		$3,416,632.27

* This amount available for expenditure only if funds are available as a federal grant. If the federal grant exceeds the above estimate such excess may be expended with the approval of the governor and council for said purposes.

Amend the appropriation for the secretary of state by striking out the entire paragraph and inserting in place thereof the following:

For secretary of state:	
Office of secretary:	
Salary of secretary	$6,180.00

Salary of deputy secretary	4,680.00	
Other personal services	20,640.00	
Current expenses	2,300.00	
Travel	650.00	
Equipment	260.00	
Totals		$34,710.00
Elections:		
Personal services	$7,200.00	
Current expenses	38,885.00	
Travel	725.00	
Total		46,810.00
Photostat division:		
Personal services	$3,165.00	
Current expenses	1,350.00	
Total		4,515.00
Total for secretary of state		$86,035.00

Amend the appropriation for state library by striking out the entire paragraph and inserting in place thereof the following:

For administration:		
Salary of librarian	$4,300.00	
Salary of assistant librarian	3,620.00	
Other personal services	62,800.00	
Current expenses	5,625.00	
Travel	550.00	
Equipment	12,785.00	
Total		$89,680.00
Extension:		
Current expenses	$3,280.00	
Travel	3,300.00	
Equipment	8,225.00	

Other expenditures:		
Summer institute	300.00	
Total		15,105.00
Total for state library		$104,785.00

Amend the appropriation for the state treasury by striking out the entire paragraph and inserting in place thereof the following:

For state treasury:		
Office of treasurer:		
Salary of treasurer	$5,600.00	
Salary of deputy	3,700.00	
Other personal services	32,290.00	
Current expenses	9,015.00	
Travel	200.00	
Total		$50,805.00
Highway division:		
Personal services	$9,750.00	
Current expenses	5,150.00	
Total	$14,900.00	
Less transfer from highway fund	14,900.00	
Net appropriation		0.00
Bounties		$12,000.00
Trust funds		37,087.27
Total for state treasury		$99,892.27

Amend the appropriation for the soldiers' home by striking out the entire paragraph and inserting in place thereof the following:

For soldiers' home:	
Office of the commandant:	
Salary of commandant	$3,120.00

Other personal services	3,081.91	
Current expenses	425.00	
Travel	75.00	
Total		$6,701.91
Custodial care:		
Personal services	$15,069.59	
Current expenses	1,225.00	
Total		16,294.59
Professional care and treatment:		
Personal services	$9,882.09	
Current expenses	800.00	
Total		10,682.09
Operation of plant:		
Personal services	$13,358.34	
Current expenses	2,390.00	
Total		15,748.34
Maintenance of plant:		
Current expenses		475.00
Operation and maintenance (federal):		
Current expenses	$18,000.00	
Repairs	2,000.00	
Total	$20,000.00	
Less revenue	20,000.00	
Net appropriation		0.00
Total for soldiers' home		$49,901.93
Less revenue		3,800.00
Net appropriation		$46,101.93

Amend the appropriation for the state prison by striking out the entire paragraph and inserting in place thereof the following:

For state prison:		
Administration:		
Salary of warden	$5,200.00	
Other personal services	10,538.80	
Current expenses	1,200.50	
Travel	803.60	
Equipment	377.30	
Total		$18,120.20
Instruction		4,116.00
Custodial care:		
Salary of deputy warden	$3,035.00	
Other personal services	129,314.00	
Current expenses	81,872.30	
Equipment	950.60	
Total		215,171.90
Auxiliary to prison care:		
Personal services	$4,802.00	
Current expenses	3,998.40	
Other expenditures—awards	980.00	
Total		9,780.40
Operation of plant:		
Personal services	$6,510.00	
Current expenses	7,744.10	
Total		14,254.10
Maintenance of plant:		
Current expenses		5,683.40
Agriculture:		
Personal services	$8,532.86	
Current expenses	18,270.50	
Total		26,803.36

Parole:		
Personal services	$14,866.60	
Current expenses	1,372.00	
Travel	3,430.00	
Equipment	171.50	
Total		19,840.10
Total for state prison		$313,769.46
Less revenue		32,947.60
Net appropriation		$280,821.86

Amend the appropriation for the board of education by striking out the entire paragraph and inserting in place thereof the following:

For board of education:		
Administration:		
Salary of commissioner	$8,325.00	
Other personal services	96,380.76	
Current expenses	15,210.00	
Travel	6,480.00	
Equipment	1,350.00	
Total		$127,745.76
Foundation aid:		
Transportation	$5,000.00	
State aid to school districts	600,000.00	
Total		$605,000.00
State wide supervision:		
Personal services (net)	$118,000.00	
Other expenditures:		
Superintendents' conference	1,500.00	
Total		119,500.00
Smith-Hughes (state):		
Personal services	$6,522.50	
Current expenses	250.00	
Travel	900.00	
Total		7,672.50

Smith-Hughes (federal):		
Personal services	$6,522.50	
Current expenses	250.00	
Travel	1,200.00	
Total	$7,972.50	
Less revenue	7,972.50	
Net appropriation		0.00
Vocational rehabilitation (state):		
Current expenses	$18,400.00	
Travel	500.00	
Equipment	600.00	
Total		19,500.00
Vocational rehabilitation (federal):		
Personal services	$19,363.40	
Current expenses	21,643.00	
Travel	3,000.00	
Equipment	800.00	
Total	$44,806.40	
Less revenue	44,806.40	
Net appropriation		0.00
George-Barden (state):		
Personal services	$8,022.60	
Current expenses	300.00	
Travel	1,500.00	
Total		9,822.60
George-Barden (federal):		
Personal services	$8,422.60	
Current expenses	300.00	
Travel	2,000.00	
Total	$10,722.60	
Less revenue	10,722.60	
Net appropriation		0.00

N. H. technical institute—Manchester:		
Personal services	$101,680.00	
Current expenses	23,020.00	
Travel	500.00	
Equipment	4,000.00	
Other expenditures:		
Medical service	150.00	
Total		129,350.00
N. H. technical institute—Portsmouth:		
Personal services	$56,193.00	
Current expenses	20,050.00	
Travel	500.00	
Equipment	3,000.00	
Total		79,743.00
Technical institute (Concord office):		
Personal services	$10,179.00	
Current expenses	1,656.00	
Travel	900.00	
Equipment	225.00	
Total		12,960.00
On-the-job-training for veterans (state):		
Current expenses	$2,000.00	
Equipment	200.00	
Total		2,200.00
On-the-job-training for veterans (federal):		
Personal services	$17,231.64	
Travel	2,501.64	
Total	$19,733.38	
Less revenue	19,733.38	
Net appropriation		0.00
Area vocational schools:		
Personal services	$2,340.00	
Current expenses	400.00	

Travel	200.00	
Other expenditures:		
Reimbursements to school districts	46,700.00	
Total		49,640.00
School lunch program:		
Personal services	$10,140.00	
Current expenses	1,050.00	
Travel	900.00	
Equipment	50.00	
Total		12,140.00
Education of the deaf:		
Current expenses	$45,000.00	
Travel	350.00	
Equipment	100.00	
Total		45,450.00
Keene teachers college:		
Personal services	$358,450.00	
Current expenses	120,560.00	
Travel	2,200.00	
Equipment	5,750.00	
Total		486,960.00
Plymouth teachers college:		
Personal services	$279,720.00	
Current expenses	106,900.00	
Travel	1,800.00	
Equipment	7,000.00	
Total		395,420.00
Scholarships—world war orphans		2,700.00
Board of nurse examiners:		
Personal services	$7,300.00	
Current expenses	500.00	
Travel	500.00	
Total	$8,300.00	

Less revenue and balance	8,300.00	
Net appropriation		0.00
Total for board of education		$2,105,803.86
Less revenue		707,224.00
Net appropriation		$1,398,579.86

In addition to the above appropriation said department shall receive for disbursement the income of the teachers colleges' dormitories and practice schools, revenue from tuitions received by the Manchester and Portsmouth state trade schools, and the sums paid by school districts for the salaries of superintendents under section 44, chapter 135 of the Revised Laws. In this department any balance, excepting the foundation fund, which may be unexpended in any fiscal year, shall be placed in a special fund available for use for maintenance purposes the following year by and with consent of the governor and council.

No part of this appropriation shall be expended at the teachers colleges for any nursery school program.

Amend the appropriation for board of fire control by striking out the entire paragraph and inserting in place thereof the following:

For board of fire control:		
Salary of fire marshal	$5,000.00	
Other personal services	9,000.00	
Current expenses	1,825.00	
Travel	2,250.00	
Total for board of fire control		$18,075.00

Amend the appropriation for board of probation by striking out the entire paragraph and inserting in place thereof the following:

For board of probation:	
Salary of director	$5,120.00
Other personal services	70,230.00
Current expenses	6,673.00

Travel	11,400.00	
Equipment	237.00	
Total for board of probation		$93,660.00

Amend the appropriation for public works division of department of public works and highways by striking out the entire paragraph and inserting in place thereof the following:

For public works division of department of public works and highways	$13,500.00

Amend the appropriation for veterans council by striking out the entire paragraph and inserting in place thereof the following:

For veterans council:		
Personal services	$6,120.00	
Current expenses	610.00	
Travel	2,000.00	
Veterans burials	12,000.00	
Total for veterans council		$20,730.00

Amend the appropriation for water resources board by striking out the entire paragraph and inserting in place thereof the following:

For water resources board:		
Personal services	$20,375.00	
Current expenses	1,235.00	
Travel	1,500.00	
Equipment	175.00	
Stream flow gauging	10,350.00	
Total for water resources board		$33,635.00
Less transfer from highway	$2,750.00	
Less transfer from Pittsburgh project *	5,000.00	
Less other income	1,200.00	
		8,950.00
Net appropriation		$24,685.00

* Transferred by vote of the directors.

Amend the appropriation for bank commissioner by striking out the entire paragraph and inserting in place thereof the following:

For bank commissioner:		
Salary of commissioner	$6,620.00	
Salary of deputies	9,497.67	
Other personal services	41,610.00	
Current expenses	5,640.00	
Travel	9,928.00	
Equipment	456.00	
Total for bank commissioner	$73,751.67	
Less revenue *	65,000.00	
Net appropriation		$8,751.67

* The bank commissioner shall collect from the institutions, the condition and management of which the bank commissioner is required to examine under the provisions of section 8 of chapter 307 of the Revised Laws as the total cost of such examination, the sum of $65,000 annually and each such institution shall pay to the state annually within thirty days after receipt by it of notice of assessment, such proportion of the total sum collectible hereunder as its assets bear to the total assets of all such institutions as shown by the reports of the bank commissioner as of the thirtieth of June preceding such payments. Sums collected under the provisions hereof shall be credited to the appropriation for the bank commissioner.

Amend the appropriation for planning and development commission by striking out the entire paragraph and inserting in place thereof the following:

For planning and development commission:	
Salary of director	$5,500.00
Other personal services	77,900.00
Current expenses	55,550.00
Travel	11,000.00
Equipment	2,000.00

Other expenditures:		
Regional associations *	16,950.00	
Eastern States Exposition	8,000.00	
Total for planning and development commission **	$176,900.00	
Less revenue	7,150.00	
Net appropriation		$169,750.00

* This appropriation shall be administered by the state planning and development commission for the aid of regional development associations. Not more than $2,825.00 may be allotted by the commission to any one regional association whose bounds, form of organization and program shall first have been approved by the commission. Any unexpended portion of this appropriation shall lapse and shall not be transferred to any other state appropriation.

** The state planning and development commission is hereby authorized to make such transfers of funds within this appropriation as said commission may deem advisable, subject to approval of the governor and council.

Amend the appropriation for public service commission by striking out the entire paragraph and inserting in place thereof the following:

For public service commission:		
Salary—3 commissioners	$20,700.00	
Other personal services	86,540.00	
Current expenses	19,375.00	
Travel	8,000.00	
Equipment	1,000.00	
Aids to navigation	1,600.00	
Total for public service commission	$137,215.00	
Less revenue*	49,000.00	
Net appropriation		$88,215.00

* To be spent only upon approval of the governor and council.

Amend the appropriation for water pollution commission by striking out the entire paragraph and inserting in place thereof the following:

For water pollution commission:		
Personal services	$28,301.00	
Current expenses	4,850.00	
Travel	5,000.00	
Equipment	750.00	
Total		$38,901.00
Federal funds:		
Personal services	$5,775.00	
Current expenses	385.00	
Travel	3,000.00	
Equipment	400.00	
Total	$9,560.00	
Less revenue	9,560.00	
Net appropriation		0.00
Total for water pollution commission		$38,901.00

Amend the appropriation for civil defense by striking out the entire paragraph and inserting in place thereof the following:

For civil defense:		
Personal services	$18,000.00	
Current expenses	6,178.00	
Travel	2,000.00	
Equipment	*50,000.00	
Other expenditures	2,000.00	
Total		$78,178.00

* To be spent only upon approval of the governor and council.

Field staff:		
Current expenses	$6,660.00	
Travel	6,740.00	
Total		13,400.00
Total for civil defense		$91,578.00

Amend the figure for the total net appropriation by striking out $15,192,273.63 and inserting in place thereof the figure $14,228,118.37.

On motion of Mr. Sanborn of Wakefield House Bill No. 447 was made a special order for Tuesday, August 14, at 11:02 o'clock.

Mr. Sanborn of Wakefield moved that a copy of today's Journal be mailed to all members.

On a *viva voce* vote the motion prevailed.

Taken from Table

Mr. Sanborn of Wakefield moved that House Bill No. 342, An act to provide for the coverage of certain officers and employees of the state and local governments under the old-age and survivors insurance provisions of title II of the Federal Social Security Act, as amended, be taken from the table.

On a *viva voce* vote the motion prevailed.

Mr. Sanborn of Wakefield moved that the House reconsider its vote whereby the House ordered to a third reading House Bill No. 342.

On a *viva voce* vote the motion prevailed.

Mr. Sanborn of Wakefield offered the following amendment:

Amend section 7 of said bill by striking out the same and inserting in place thereof the following:

7. *Administration.* For the purpose of providing funds for the cost of administering the provisions of this act the state agency is hereby authorized to certify to each division of the state or to any political subdivision which has adopted the provisions of this act a pro-rata share of the cost of administration of this act by the state agency based upon the

number of members of said state division or political subdivision coming within the provisions of this act. The contributions payable by employers whose employees participate in the system provided for hereunder shall include the pro rata share of the cost of administration provided for herein and the amounts so certified shall be a charge against said employer.

The question being on the amendment.

(Discussion ensued)

Mr. Pillsbury of Manchester spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Sanborn of Wakefield moved that House Joint Resolution No. 17, Joint resolution relating to the preservation of historic military flags, be taken from the table and be recommitted to the Committee on Appropriations.

The question being on the motion.

(Discussion ensued)

Mr. Black of Bennington spoke against the motion.

On a *viva voce* vote the motion prevailed, and the bill was recommitted.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

House Bill No. 449, An act relating to the acquisition of certain land on Long Island in the town of Moultonborough.

House Bill No. 456, An act providing for the continuing of reimbursements to towns and cities as provided by chapter 79-A, Revised Laws.

House Joint Resolution No. 44, Joint resolution in favor of the estates of James B. Perry and Milan H. Collins.

The message further announced that the Senate had voted to adopt the following concurrent resolution:

Resolved by the House of Representatives, the Senate con-

curring, That the Reverend Dr. Daniel B. Poling be invited to address a joint convention on Thursday, August 9, at 11:00 o'clock.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 376, An act increasing salaries of deputy registers of probate.

Amend section 1 of the bill by striking out the same and substituting in place thereof the following: 1. *County Probate Offices.* Amend section 21 of chapter 347 of the Revised Laws as amended by chapter 199 of the Laws of 1945 by striking out said section and inserting in place thereof the following: 21. *Salaries of Deputies.* The annual salaries of the deputy registers of probate shall be paid by the state and shall be as follows:

In Rockingham County, nineteen hundred dollars.
In Strafford County, fifteen hundred dollars.
In Belknap County, twelve hundred dollars.
In Carroll County, twelve hundred dollars.
In Merrimack County, nineteen hundred dollars.
In Hillsborough County, twenty-three hundred dollars.
In Cheshire County, fifteen hundred dollars.
In Sullivan County, thirteen hundred dollars.
In Grafton County, fifteen hundred dollars.
In Coos County, fifteen hundred dollars.

Further amend the bill by striking out in section 3 the word "July" and substituting in place thereof the word, September, so that said section as amended shall read as follows:

3. *Takes Effect.* This act shall take effect as of September 1, 1951.

On motion of Mr. Sanborn of Wakefield, the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

On motion of Mr. Wadleigh of Milford, the rules were suspended, and business in order at 3:00 o'clock was made in order at the present time, and the third reading of bills were by their titles only, and when the House adjourns today it be to meet Tuesday at 11:00 o'clock.

Third Readings

House Bill No. 306, An act relative to filling vacancies on party tickets after primary elections and relative to corporations.

House Bill No. 342, An act to provide for the coverage of certain officers and employees of the state and local governments under the old-age and survivors insurance provisions of title II of the Federal Social Security Act, as amended.

House Bill No. 387, An act providing for non-partisan municipal elections in the city of Manchester.

House Bill No. 398, An act establishing a Tri-State Authority to enable the collective construction and operation of institutions in Maine, New Hampshire and Vermont.

Severally read a third time and passed, and sent to the Senate for concurrence.

Reconsideration

Mrs. Martin of Littleton moved that the House reconsider its vote whereby the House passed House Bill No. 398.

On a *viva voce* vote the motion did not prevail.

Senate Bill No. 77, An act defining the powers of the justices of the superior court.

Senate Bill No. 96, An act relating to public construction and contracts for state of New Hampshire.

Severally read a third time and passed, and sent to the Senate for concurrence in the amendments.

Reconsideration

Mr. Ingham of Winchester moved that the House reconsider its vote whereby the House passed Senate Bill No. 96.

On a *viva voce* vote the motion did not prevail.

Senate Bill No. 100, An act increasing penalties in certain criminal cases and relating to procedure in the supreme court.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

Reconsideration

Mr. Pillsbury of Manchester moved that the House reconsider its vote whereby the House passed House Bill No. 387.

On a *viva voce* vote the motion did not prevail.

On motion of Mr. Fecteau of Epping at 2:36 o'clock the House adjourned.

TUESDAY, AUGUST 14, 1951

The House met according to adjournment.

Prayer was offered by guest chaplain Rev. Arthur E. Paterson, former House chaplain and former Senate chaplain of the Connecticut General Assembly.

O God, whose divine residence is to be found in the human heart, and whose light and guidance are for the blessing of Thy children day by day; we ask Thee for Thy wisdom at this the beginning of the legislative day in this General Court.

We especially ask for Thy fatherly goodness and counsel on behalf of the members of this Court as they face the problems of this day. Guide them, we pray, as they seek the solution of problems, and consider the enactment of measures to meet the needs of this day, and to safeguard the well-being of the people of this state, its men and women of today, its youth and citizenry of tomorrow.

This we ask in the name of Jesus Christ, our Lord and Saviour. Amen.

Leaves of Absence

Mrs. Brungot of Berlin was granted leave of absence for the day on account of death in the family.

Mrs. Studley of Rochester and Mr. Peaslee of Merrimack were granted leaves of absence for the day on account of important business.

Messrs. Erwin of Keene and Payeur of Pembroke were granted leaves of absence for the week on account of important business.

Mr. Pelletier of Nashua was granted leave of absence for the week on account of illness.

Engrossed Bills

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engorssed the following entitled bills and joint resolution:

House Joint Resolution No. 44, Joint resolution in favor of the estates of James B. Perry and Milan H. Collins.

Senate Bill No. 104, An act authorizing the transfer of Endicott Rock State Park to the city of Laconia.

House Bill No. 449, An act relating to the acquisition of certain land on Long Island in the town of Moultonborough.

House Bill No. 456, An act providing for the continuation of reimbursements to towns and cities as provided by chapter 79-A, Revised Laws.

Senate Bill No. 88, An act increasing fees for sheriffs and deputies for court attendance.

Senate Bill No. 62, An act to amend the factors lien law.

Reconsideration

Mr. Pillsbury of Manchester moved that the House reconsider its vote whereby the House voted inexpedient to legislate House Bill No. 138, An act relating to the University of New Hampshire.

The question being on the motion to reconsider.

(Discussion ensued)

Messrs. Pillsbury of Manchester and Sanborn of Wakefield spoke in favor of the motion.

On a *viva voce* vote the motion to reconsider prevailed.

The question being on the resolution of the committee, inexpedient to legislate.

Mr. Sanborn of Wakefield moved that the words "ought to pass" be substituted for the resolution of the committee.

The question being on the motion to substitute the words ought to pass.

On a *viva voce* vote the motion to substitute prevailed.

Mr. Sanborn of Wakefield offered the following amendment:

Amend said bill by inserting after section 2 the following new section:

3. *Appropriation.* In addition to the funds appropri-

ated for the University under the general appropriation acts there is hereby appropriated the sum of three hundred thousand dollars ($300,000) for the fiscal year ending June 30, 1952, and a like sum for the fiscal year ending June 30, 1953, for the University of New Hampshire fund. The governor is authorized to draw his warrants for the additional sums appropriated under this section out of any money in the treasury not otherwise appropriated. For the biennium ending June 30, 1953 the amounts appropriated by this section and by the general appropriation acts shall be the total appropriations for the University of New Hampshire for said period. Such parts of section 18 of chapter 222 of the Revised Laws as hereinbefore amended as may be inconsistent with the provisions of this section are hereby suspended until June 30, 1953.

Further amend said bill by striking out the original section 3, renumbering and inserting in place thereof the following:

4. *Takes Effect.* This act shall take effect upon its passage.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Pillsbury of Manchester moved that the bill be laid upon the table.

The question being on the motion to lay upon the table.

On a *viva voce* vote the motion prevailed.

Mr. Baron of Claremont, for the Committee on Appropriations, to whom was referred House Bill No. 124, An act providing for a salary increase for state employees and officials, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Salary Increase.* Notwithstanding any provisions of the salary scale for classified state personnel all full time, permanent, regularly employed classified state employees shall be granted an additional annual salary increase based on the

following schedule for employees in the following grades as set by the classified plan:

Grades 1 to 5, inclusive	$300
Grades 6 to 12, inclusive	$270
Grades 13, 14, 15	$240
Grades 16, 17	$210
Grades 18 to 21, inclusive	$180
Grades 22 to 24, inclusive	$150
Grades 25 to 27, inclusive	$120
Grades 28 to 30, inclusive	$ 90

Provided, that in the case of such classified personnel who have entered state service subsequent to July 1, 1951, the additional salary provided for herein shall be paid only from the date of such entrance into state service. The additional salary increase shall be deemed to be a part of the regular salary of said classified employees.

2. *Unclassified Employees and Officials.* All state officials and unclassified employees of the state, regularly employed, other than the members of boards, commissions or committees paid on a *per diem* basis, which said officials or employees receive from public funds a total gross salary of less than four thousand five hundred dollars per year shall be granted an additional annual salary of two hundred dollars each. The additional salary increase provided for under this section shall be deemed to be a part of the regular salary of said state officials or unclassified employees. Provided that employees of the University of New Hampshire and official state court stenographers shall not be included in the salary grant under the provisions hereof.

3. *Method of Payment.* Each employee or official in state service as of July 1, 1951, entitled to salary increase hereunder, shall receive the amount due on account of such increase calculated from July 1, 1951, to the first of the month following the date of the passage of this act in one lump sum and thereafter shall receive said increase through regular payroll channels and procedures.

4. *Application of Act.* The provisions of this act shall not be construed as affecting yearly increments of employees or officials or longevity provisions.

5. *Appropriations.* The sum of one million, thirty-seven thousand dollars ($1,037,000) for the fiscal year ending June

30, 1952 and a like sum for the fiscal year ending June 30, 1953 are hereby appropriated for the salary increases provided for by this act. The governor with the advice and consent of the council is hereby authorized to cause to be transferred from special funds of the following departments and commissions such sums as may be needed to provide the amounts necessary to provide the salary increases hereby authorized for officials and employees of said departments and commissions: forestry and recreation commission aerial tramway funds; fish and game department; public works and highways department; hairdressers' board; barbers' board; liquor commission; motor vehicle department; racing commission; teachers' retirement board; public welfare department; and the division of employment security within the department of labor. The balance of sums necessary to provide funds hereunder shall be a charge upon the general funds of the state.

6. *Takes Effect.* This act shall take effect as of July 1, 1951.

The report was accepted and the bill laid upon the table under Rule No. 48. To be taken up August 16.

Mr. Baron of Claremont moved that the rules be suspended to permit consideration of the bill at the present time.

The question being on the motion.

(Discussion ensued)

Messrs. Baron of Claremont and Pillsbury of Manchester spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

The question being on the amendment offered by the committee.

(Discussion ensued)

Messrs. Baron of Claremont, Scamman of Stratham, Means of Milan and Ferguson of Pittsfield spoke in favor of the amendment.

Mr. Pillsbury of Manchester spoke against the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Pillsbury of Manchester called for a division.

A division being had, 235 members having voted in the affirmative and 53 members having voted in the negative, the amendment was adopted.

Mr. Kearns of Manchester offered the following amendment:

Amend section 2 by adding at the end thereof the words, Provided, further, that this section shall also apply to attaches of the general court for the years the court is in session.

The question being on the amendment.

(Discussion ensued)

Mr. Kearns of Manchester spoke in favor of the amendment.

Mr. Pillsbury of Manchester spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

The bill was ordered to a third reading.

On motion of Mr. Pickett of Keene the rules were suspended to allow third reading and final passage at the present time.

Read a third time and passed and sent to the Senate for concurrence.

Reconsideration

Mr. Baron of Claremont moved that the House reconsider its vote whereby it passed House Bill No. 124.

On a *viva voce* vote the motion to reconsider did not prevail.

Special Order

Mr. Sanborn of Wakefield called for the special order for 11:01 o'clock.

It being, House Bill No. 446, An act making appropriations for the expenses of the state of New Hampshire for the year ending June 30, 1952.

The question being on the amendment offered by the committee.

Mr. Sanborn of Wakefield moved that the legislative budget assistant have the privilege of the floor during consideration of the budget bills.

On a *viva voce* vote the motion prevailed.

Recess

After Recess

The question being on the amendment.

Mr. Carter of Cornish offered the following amendment:

Amend the amendment offered by the Appropriations Committee by striking out the figures $600,000 in the item for "State Aid to Schools" and inserting in place thereof the figures, $900,000.

The question being on the amendment.

(Discussion ensued)

Messrs. Carter of Cornish, Powell of Sutton, Vaughan of Newport and Mrs. Landers of Keene spoke in favor of the amendment.

(Mr. Turner of Keene in Chair)

Messrs. Pillsbury of Manchester, Clarke of Canaan, Sanborn of Wakefield, Mrs. Atwood of Sanbornton and Mrs. Millar of Claremont spoke in favor of the amendment.

Messrs. Ferguson of Pittsfield, Kearns of Manchester, Kennedy of Manchester, Jones of Lebanon, Pickett of Keene and Betley of Manchester spoke against the amendment.

Mr. Barry of Wilton moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment offered by the member from Cornish.

Mr. Boutin of Belmont demanded the Yeas and Nays, and the roll was called with the following result:

(Speaker in Chair)

Yeas, 122

BELKNAP COUNTY: McAllister, Boutin, Weeks, Osborne, Hart of Laconia, Keller, O'Shan, Atwood.

CARROLL COUNTY: Washburn, Benson, Hill, Nickerson, Lamprey.

MERRIMACK COUNTY: Putney, Ellsworth, Perkins of Concord, Saltmarsh, Tilton of Concord, Sargent, Towle, Chase of Franklin, DuDevoir, Powell, Sawyer of Wilmot.

HILLSBOROUGH COUNTY: Holmes, Black, Farwell, Reed, Goodwin, Abbott, Pillsbury, Nelson, Wadleigh, Underhill, Record, Locke of New Boston, Ashley of New Ipswich, Mailloux, French of Weare.

CHESHIRE COUNTY: Burnham, Miller of Fitzwilliam, Rathbun of Harrisville, Walker, Spofford, Kirk, Landers, Wheeler, Walsh, Kershaw, Lang, Rhodes, Billings, Ingham of Winchester, Thompson of Winchester.

SULLIVAN COUNTY: Bascom, Frizzell, Millar of Claremont, Carter of Cornish, Bailey, Perry, Rowell, Vaughan, Pierce.

GRAFTON COUNTY: Plumer, Clarke of Cannan, Grass, Williams, Fuller, Holden of Hanover, Chamberlin of Haverhill, Sleeper, Randall, Collins, Martin of Littleton, Pushee, Skinner, Huckins, Horner, Woodward, Gilbert, Sawyer of Woodstock.

COOS COUNTY: Shields, Laforce, Gould, Oakes, Emerson, Means, Christopher, Ellingwood, Placy, Stinson.

ROCKINGHAM COUNTY: Tuttle, Griffin of Auburn, Libby, Darbe, Clark of Derry, Hepworth, Freeman of East Kingston, Fecteau, Kendall, Richards, LeComte, Putnam, Ring, Eastman, McNeil, Sheehy, Wells, Pinkham, Colcord, Sukeforth, Durell, Foóte, Yeaton, Bluitte.

STRAFFORD COUNTY: Locke of Dover, Blanchard, Parker, Dustin, Winters, St. Pierre, Leach.

Nays, 185

BELKNAP COUNTY: Perkins of Alton, Simoneau, Tilton of Laconia, Ward 3, Tilton of Laconia, Ward 4, Thompson of Laconia, Brown of Laconia, Ransom, Smith of Meredith, Matthews.

CARROLL COUNTY: Downs, Morey, Knox, Remick, Hodgdon, Hart of Wolfeboro.

MERRIMACK COUNTY: Moore, Vogel, Marden, Dodge, Ferrin, Tebbetts, Kennedy of Concord, Hurd, Corbett, O'Neil of Concord, Bunten, Freeman of Concord, Greene of Concord, Blodgett, Nawn, Hadley, Burke, Charland, Maxwell, Mason, Milligan, Wilman, Lea, Ferguson, Chandler.

HILLSBOROUGH COUNTY: Wilson, French of Bedford, Poore, Doonan, Sterling, Cummings of Lyndeborough, Corliss, Kennedy of Manchester, Danforth, Geisel, Connor, Dwyer, Martel, Fitzgerald, Kean, Nolan, Betley, Healy of Manchester, Ward 5, Casey, Clancy, Ecker, Healy of Manchester, Ward 6, Zyla, Marcoux, Sullivan of Manchester, Constant, Delisle, Kane, Roy of Manchester, Cary, Getz, Kearns, Roukey, Lareau, Soucy, Vaillancourt, Chapdelaine, Daniel, Gauthier, Cannon, Donnelly, Wedick, Falconer, Cooper, Ramsdell, Boire, Belcourt, Maynard of Nashua, Ward 3, Brosnahan, Cote, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Chartrain, Dupont, Ryan, Grandmaison, Janelle, Pelletier of Nashua, Ward 8, Bouthillier, Bass, Cummings of Peterborough, Barry.

CHESHIRE COUNTY: O'Neil of Keene, Bennett, Codding, Turner, Pickett, Sherwin, Worcester.

SULLIVAN COUNTY: Angus, Brooks, Converse, Bissonnett, Nahil, Baron of Claremont, Marcotte of Claremont, Gamsby, Callum.

GRAFTON COUNTY: Gingras, Willey, Avery, McMeekin, Adams, Ashley of Lebanon, Cole, Jones, Gardner, Kelley, Burrill, Howard, Bell, Barney.

COOS COUNTY: Dussault, Hinchey, Desilets, Henderson of Berlin, Sheridan, Sullivan of Berlin, Bouchard, Roy of Berlin, Rines, Cummings of Colebrook, Fraser, Simonds, Hilliard, Taylor.

ROCKINGHAM COUNTY: Wastcoat, Lindahl, Cushing, Eldredge, Rathbone of Exeter, Bonney, Merrill, Thurlow, Labranche of Newmarket, Sewall, Carter of No. Hampton, McDaniel, Dondero, Smart, Ingraham of Portsmouth, Philbrick, Haigh, Scamman, Waterhouse.

STRAFFORD COUNTY: Chase of Dover, Marcotte of Dover, Shaheen, Felker, Fellows, Carroll, Crandall, Flanagan, Horne, Smith of New Durham, Rolfe, Maxfield, Lacasse, Green of Rollinsford, Lagueux, Letourneau, Cater, Malley.

And the amendment was not adopted.

Mr. Wadleigh of Milford offered the following amendment:

Amend the proposed amendments to House Bill No. 446 by striking out the entire paragraph relative to changes in appropriations for old age assistance under the public welfare.

Further amend said proposed amendments to said bill by striking out the new section 3 relative to increase in municipal participation in old age assistance.

The question being on the amendment.

(Discussion ensued)

Messrs. Wadleigh of Milford, O'Shan of Laconia, Geisel of Manchester, Perkins of Concord, Nelson of Milford, Turner of Keene, Brown of Laconia, Pickett of Keene and Mrs. Dondero of Portsmouth spoke in favor of the amendment.

Messrs. Pillsbury of Manchester and Scamman of Stratham spoke against the amendment.

Mr. Barry of Wilton moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment offered by the member from Milford.

Mr. Kearns of Manchester called for a division.

A division being had, 269 members having voted in the affirmative and 16 members having voted in the negative, the amendment was adopted.

Mr. Jones of Lebanon offered the following amendments:

Amend the amendment by striking out the figures "$50,000.00" for equipment for civil defense and inserting in place thereof the figures, $20,000.00.

Further amend said amendment to the civil defense appropriation by striking out the total of "$77,698.00" and inserting in place thereof the figures, $47,698.00.

Further amend the amendment by striking out the total for civil defense of "$92,298.00" and inserting in place thereof the figures, $62,298.00.

The question being on the amendments offered by the member from Lebanon.

(Discussion ensued)

Messrs Jones of Lebanon and Chandler of Warner spoke in favor of the amendments.

Mr. Pillsbury of Manchester spoke against the amendments.

Mr. Pillsbury of Manchester called for a division.

A division being had, 194 members having voted in the affirmative and 80 members having voted in the negative, the amendments were adopted.

The question being on the amendment offered by the committee, as amended.

On a *viva voce* vote the amendment was adopted.

Mr. Leach of Rochester offered the following amendment:

Amend the paragraph relative to inspection services for the motor vehicle department by striking out the word and figures, "Equipment $1,000" and inserting in place thereof the word and figures, Equipment $16,000; Further amend said paragraph by striking out the total "$80,440" and inserting in place thereof the figures, $95,440. Amend the total for the motor vehicle department by striking out the figures "$399,045," and inserting in place thereof the figures $414,045. and by striking out the figures for estimated revenue, "$399,045" and inserting in place thereof the figures, $414,045

The question being on the amendment offered by the member from Rochester.

(Discussion ensued)

Messrs. Leach of Rochester and Pillsbury of Manchester spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Lamprey of Moultonborough offered the following amendments:

Amend said bill by striking out the figures "$46,170.00" in the paragraph relative to the Office of Commission under the Tax Commission, and inserting in place thereof the figures, $31,560.00.

Further amend said paragraph by striking out the total "$86,735.00" and inserting in place thereof the figure, $72,125.00.

Further amend said bill by striking out the total for tax commission of "$216,925.00" and inserting in place thereof the figures, $202,315.00.

Further amend said bill by striking out the net appropriation for the Tax Commission of "$178,215.00" and inserting in place thereof the figures, $163,605.00.

The question being on the amendments offered by the member from Moultonborough.

(Discussion ensued)

Messrs. Lamprey of Moultonborough, Chandler of Warner, and Means of Milan spoke in favor of the amendments.

Messrs. Pillsbury of Manchester, Rathbun of Harrisville, Willey of Campton and Pickett of Keene spoke against the amendments.

On a *viva voce* vote the amendments were not adopted.

Mr. Lamprey of Moultonborough called for a division.

A division being had, 152 members having voted in the affirmative and 127 members having voted in the negative, the amendments were adopted.

Mr. Willey of Campton demanded the Yeas and Nays but subsequently withdrew his demand.

The bill was ordered to a third reading.

Special Order

Mr. Pillsbury of Manchester called for the special order for 11:02.

It being House Bill No. 447, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1953.

The question being on the amendment offered by the committee.

Mr. Wadleigh of Milford offered the following amendment:

Amend the proposed amendment to the bill by striking out under the paragraph for public welfare the words and figures "old age assistance: state's share $1,111,117.56" and inserting in place thereof the words and figures, old age assistance: state's share $1,373,693.82.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Jones of Lebanon offered the following amendments:

Amend the amendment by striking out the figures "$50,000.00" for equipment for civil defense and inserting in place thereof the figures, $20,000.00.

Further amend said amendment to the civil defense appropriation by striking out the total of "$78,178.00" and inserting in place thereof the figures, $48,178.00.

Further amend the amendment by striking out the total for civil defense of "$91,578.00" and inserting in place thereof the figures, $61,578.00.

The question being on the amendments.

On a *viva voce* vote the amendment was adopted.

The question being on the amendment as amended.

On a *viva voce* vote the amendment was adopted.

Mr. Leach of Rochester offered the following amendment:

Amend the paragraph relative to inspectional services for the motor vehicle department by striking out the word and figures "Equipment $1,000" and inserting in place thereof the word and figures, Equipment $16,000. Further amend said paragraph by striking out the total "$81,460" and inserting in place thereof the figures, $96,460. Further amend said bill by striking out the total of the motor vehicle department, $405,735 and inserting in place thereof the figures, $420,735. Amend the estimated revenue by striking out the figure "$405,735" and inserting in place thereof the figures $420,735.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted.

The bill was then ordered to a third reading.

Reconsideration

Mr. Pickett of Keene moved that the House reconsider its vote whereby it ordered to a third reading House Bill No. 446.

The question being on the motion to reconsider.

(Discussion ensued)

Messrs. Pickett of Keene and Pillsbury of Manchester spoke in favor of the motion.

Messrs. Turner of Keene, Chandler of Warner, Martel of Manchester, Lamprey of Moultonborough, Scamman of

Stratham, Cole of Lebanon, and Lea of Pembroke spoke against the motion.

Mr. Corbett of Concord moved the previous question.

The question being, Shall the main question new be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to reconsider.

On a *viva voce* vote the motion did not prevail.

Mr. Pickett of Keene asked for a division.

A division being had, 76 members having voted in the affirmative, and 188 members having voted in the negative, the motion to reconsider did not prevail.

Mr. Lamprey of Moultonborough moved that the House reconsider its vote whereby the House ordered to a third reading House Bill No. 447.

The question being on the motion to reconsider.

On a *viva voce* vote the motion prevailed.

Mr. Lamprey of Moultonborough offered the following amendment:

Amend said bill by striking out the figures, "$48,120.00" in the paragraph relative to the office of commission under tax commission, and inserting in place thereof the figures, $32,760.00.

Further amend said paragraph by striking out the total "$88,335.00" and inserting in place thereof the figures, $72,975.00.

Further amend said bill by striking out the total for tax commission of "$220,150.00" and inserting in place thereof the figures $204,790.00.

Further amend said bill by striking out the net appropriation for the tax commission of "$181,385.00" and inserting in place thereof the figures $166,025.00.

The question being on the amendment.

(Discussion ensued)

Mr. Lamprey of Moultonborough spoke in favor of the amendment.

Mr. Willey of Campton spoke against the amendment.

Mr. Chandler of Warner moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment.

Mr. Willey of Campton called for a division.

A division being had 175 members having voted in the affirmative and 75 members having voted in the negative, the amendment was adopted, and the bill ordered to a third reading.

Taken from Table

Mr. Pillsbury of Manchester moved that House Bill No. 138, An act relating to the University of New Hampshire, be taken from the table.

The question being on the motion.

On a *viva voce* vote the motion did not prevail.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bills:

Senate Bill No. 88, An act increasing fees for sheriffs and deputies for court attendance, jurors and witnesses.

Senate Bill No. 104, An act authorizing the transfer of Endicott Rock State Park to the city of Laconia.

The message also announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

Senate Bill No. 62, An act to amend the factors lien law.

Resolutions

Mr. Pelletier of Nashua offered the following resolution:

Whereas, we have learned with sorrow of the death of Emile E. Marquis, Representative from Nashua, Ward 5, and

Whereas, Mr. Marquis has been a member of the legislature for many sessions, and has served as a member of the Board of Aldermen, and has been a diligent worker in these capacities, now therefore be it

Resolved, That we, the members of this House of Repre-

sentatives wish to express our sympathy to his family and be it further

Resolved, That a copy of these resolutions be transmitted by the Clerk to it, and be it further

Resolved, That when the House adjourns today it adjourn in memory of Mr. Marquis.

On a rising vote the resolution was unanimously adopted.

Mr. Foote for the Portsmouth Delegation offered the following resolution:

Whereas, we have learned of the death of Mrs. Nellie Leary, mother of John J. Leary, Representative from Portsmouth, therefore be it

Resolved, That we, the members of the House of Representatives, extend our heartfelt sympathy to our fellow member in his bereavement, and be it further

Resolved, That the Clerk of the House transmit to Representative Leary a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the House adjourned from the morning session.

The House was immediately called to order in afternoon session.

Afternoon

On motion of Mr. Wadleigh of Milford the rules were suspended to allow third reading of bills by their titles only.

Third Reading

House Bill No. 446, An act making appropriation for the expenses of the State of New Hampshire for the year ending June 30, 1952.

House Bill No. 447, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1953.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Osborne of Gilmanton at 5:15 o'clock the House adjourned.

WEDNESDAY, AUGUST 15, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

May we this day pray with the Psalmist who said: "God is our refuge and strength, a very present help in time of trouble, therefore will we not fear." Be Thou our strength in these difficult and trying times. May we learn, as Thy people of old learned, that it is "not by might, nor by power, but by Thy Spirit" that great things are accomplished. Take from us, if there be such, any sense of self-sufficiency that underrates the power of Thy Spirit in any walk or avenue of life. If the load is heavy, we need Thy support; if prosperity is over generous, we need Thy wisdom; if sorrow and bereavement overtake us, we need Thy comfort. Help us our God, that we do not wander beyond Thy care and protection. We ask it in the name of Christ. Amen.

Leaves of Absence

Mr. French of Bedford was granted leave of absence for the day on account of important business.

Messrs. Metcalf of Tilton and Tilton of Concord were granted leaves of absence for the remainder of the week on account of important business.

Engrossed Bills

The Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled bills and joint resolution:

House Bill No. 54, An act relating to scholarships for orphans of the world wars.

House Joint Resolution No. 41, Joint resolution for inclusion of forest management and soil conservation practices in all flood control plans carried out by the federal government in the state of New Hampshire in coordination with state authorities.

Senate Bill No. 77, An act defining the powers of the justices of the superior court.

The report was accepted.

Committee Reports

Mr. Malley of Somersworth, for the Committee on Ways and Means, to whom was referred House Bill No. 459, An act relating to the listing of tax exempt property, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the whole of said section and inserting in place thereof the following:

1. *Property to be Listed.* Amend chapter 75 of the Revised Laws by inserting after section 1 the following new section: 1-a. *Additional List.* At the time of making the list of polls and the invoice of estate liable to be taxed the selectmen shall also make an invoice of all lands, buildings and structures which, but for the tax exemption laws of the state, would be taxable as real estate, including all land, but excluding the buildings of the United States, state, county, town, school district or any political subdivision thereof used for public educational purposes.

The report was accepted and the amendment adopted.

Mr. McMeekin of Haverhill offered the following amendment:

Amend the bill by inserting after the word "public" the word, or, in the last line of section 1 so that said section as amended shall read as follows:

1. *Property to be Listed.* Amend chapter 75 of the Revised Laws by inserting after section 1 the following new section: 1-a. *Additional List.* At the time of making the list of polls and the invoice of estate liable to be taxed the selectmen shall also make an invoice of all lands, buildings and structures which, but for the tax exemption laws of the state, would be taxable as real estate, including all land, but excluding the buildings of the United States, state, county, town, school district or any political subdivision thereof used for public or educational purposes.

The question being on the amendment offered by the member from Haverhill.

(Discussion ensued)

Messrs. McMeekin of Haverhill, and Bass of Peterborough spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill was ordered to a third reading.

Mr. Malley of Somersworth, for the Committee on Ways and Means, to whom was referred House Bill No. 460, An act relative to liquor revenues, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Ways and Means, to whom was referred House Bill No. 460, An act relative to liquor revenue, and being unable to agree with the majority reported the same with the following amendment (No. 1) and the recommendation that the bill as amended ought to pass:

Amend the title of the bill by striking out the whole thereof and inserting in place thereof the following:

An act relating to revenue from liquor and horse racing.

Amend the bill by inserting after section 1 the following new sections:

2. *Horse Racing.* Amend section 15 of chapter 171 of the Revised Laws, as amended by chapter 83 of the Laws of 1943, chapter 117 of the Laws of 1945 and chapters 24 and 190 of the Laws of 1949, by striking out said section and inserting in place thereof the following: 15. *Pari-Mutuel Pools.* Within the enclosure of any race track where is held a race or race meet licensed and conducted under this chapter, but not elsewhere, the sale of pari-mutuel pools by the licensee under such regulations as may be prescribed by said commission is hereby permitted and authorized during the calendar years 1941 to 1956, inclusive. Commissions on such pools shall in no event and at no track, excepting at tracks or race meets conducted solely for harness racing by agricultural fairs where the commissions shall be fifteen per cent, exceed twelve and one-quarter per cent of each dollar wagered, plus the odd cents of all redistribution to be based upon each dollar wagered exceeding a sum equal to the next lowest multiple of ten, known as "breakage," one-half of which breakage shall be retained by the licensee and the balance shall be paid to the state treasurer for the use of the state in accordance with the provisions of section 2. Said maximum shall include the five and three-quarters per cent tax hereinafter prescribed. For the

purpose of the exception set forth in this section, an "agricultural fair" shall be deemed to be such an association as does provide for and pay premiums of five thousand dollars, or more, annually as is determined by the commissioner of agriculture in accordance with section 18 of this chapter.

3. *Distribution.* Amend section 16 of said chapter 171, as amended by section 2 of chapter 117 of the Laws of 1945, by striking out said section and inserting in place thereof the following: 16. *Tax.* Each person, association or corporation licensed to conduct a race or race meet under this chapter shall pay to the state treasurer a sum equal to five and three-quarters per cent of the total contributions to all parimutuel pools conducted or made at any race or race meet licensed hereunder. Of the amount so paid to the state treasurer a sum equal to five and one-half per cent of said total contribution shall be distributed in accordance with the provisions of section 2, and a sum equal to one-quarter of one per cent of said total contributions shall be expended for the promotion of agriculture in the state under the direction of the commissioner of agriculture. Each person, association or corporation licensed to conduct a race or race meet under this chapter shall also pay to the city or town treasurer in which the racing plant is located the sum of two hundred and fifty dollars for each day of racing, provided, said person, association or corporation has a license to conduct races or race meets for more than eight days during the year for which the license is issued. If said person, association or corporation has a license to conduct races or race meets for less than eight days, the said *per diem* fee shall be determined by the commission.

Further amend said bill by renumbering section 2 to read section 4.

BOWDOIN PLUMER,
For a Minority of the Committee.

The undersigned, a minority of the Committee on Ways and Means, to whom was referred House Bill No. 460, An act relative to liquor revenue, being unable to agree with the majority, reported the same with the following amendment (No. 2) and the recommendation that the bill as amended ought to pass:

Amend the title of the bill by striking out the whole of said title and inserting in place thereof the following:

An act relating to a sweepstake race.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. Amend chapter 171 of the Revised Laws by inserting after section 21 the following new section: 21-a. *Sweepstake Authorization.* The commission is hereby authorized and directed to conduct not more than one sweepstake race a year within the enclosure of any race track licensed by the commission. For such race the commission is authorized to sell tickets in such number as it may determine necessary or desirable. Notwithstanding any other provisions of this chapter all commissions on such sale of tickets after payment of expenses incurred by the commission in connection with such sweepstake race, shall be paid into the state treasury and shall be for the use of the state. The commission is authorized to make rules and regulations for the conduct of such sweepstake race, including the fixing of the price to be charged for tickets, the horses to be entered in such race and prizes to be awarded for winners. The commission may employ and fix the compensation of such employees as may be necessary to carry out the provisions of this section.

2. *Takes Effect.* This act shall take effect upon its passage.

JOHN J. KEARNS,
A Minority of the Committee.

The undersigned, a minority of the Committee on Ways and Means, to whom was referred House Bill No. 460, An act relative to liquor revenues, being unable to agree with the majority, reported the same with the following amendment (No. 3) and the recommendation that the bill as amended ought to pass:

Amend the title of the bill by striking out the whole and inserting in place thereof the following:

An act relating to a tax on electrical energy.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Tax.* Amend chapter 286 of the Revised Laws by inserting after section 25 the following new sections:

26. *Tax on Electrical Energy.* There is hereby imposed upon electrical energy generated in this state or imported into

this state a tax of one mill per kilowatt hour of such energy sold to the ultimate consumer.

27. *Duty of Commission.* It shall be the duty of the commission to collect the tax provided by section 26 under such rules and regulations as it may prescribe. Such collection shall be made at least semi-annually.

28. *Disposal of Revenue.* All sums collected under the provisions hereof shall be transmitted to the state treasurer within thirty days after the receipt thereof and the same shall be deposited into the general funds of the state.

29. Whoever shall violate any of the provisions of the preceding three sections and such rules and regulations as may be prescribed by the commission shall be fined not more than five thousand dollars.

2. *Takes Effect.* This act shall take effect as of November, 1951.

THOMAS WATERHOUSE, JR.,
A Minority of the Committee.

The report was accepted.

The question being on the report of the committee.

Mr. Sherwin of Rindge moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Messrs. Sherwin of Rindge, Bass of Peterborough, Chandler of Warner, Turner of Keene, Jones of Lebanon, Kearns and Gagnon of Manchester spoke in favor of the motion.

Messrs. Martel of Manchester, Carter of Cornish, Brown of Laconia, Benson of Conway, Plumer of Bristol, Geisel of Manchester and Means of Milan spoke against the motion.

Mr. Kearns of Manchester asked for a division.

A division being had, 218 members having voted in the affirmative and 82 members having voted in the negative, the motion to indefinitely postpone prevailed.

Taken from Table

Mr. Barry of Wilton moved that House Bill No. 138, An act relating to the University of New Hampshire, be taken from the table.

The question being on the motion to take from the table.

On a *viva voce* vote the motion prevailed.

Mr. Pickett of Keene moved that the rules be suspended to allow the introduction of a joint resolution.

The question being on the motion to suspend rules.

On a *viva voce* vote the motion prevailed.

Introduction of House Joint Resolution

By the Committee on Rules, (sponsored by Mr. Pelletier of Nashua), House Joint Resolution No. 45, Joint resolution in favor of the estate of Emile E. Marquis. Referred to the Committee on Appropriations.

On motion of Mr. Pickett of Keene the rules were further suspended to dispense with printing and reference to committee and that the bill be put upon its third reading and final passage at the present time.

Read a third time and passed and sent to the Senate for concurrence.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to non-concur with the House of Representatives in its amendments to the following entitled bill:

Senate Bill No. 96, An act relating to public construction and contracts for state of New Hampshire, and asked for a Committee of Conference and the President appointed as members of such committee, on the part of the Senate, Senators Wild and Tarlson.

On motion of Mr. Ingham of Winchester the House voted to accede to the Senate request for a Committee of Conference.

The Speaker appointed as members of such committee, on the part of the House, Messrs. Ingham of Winchester, Chandler of Warner and Martel of Manchester.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 220, An act relative to the sale of liquors.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following section:

1. *Spirituous Liquors.* Amend section 16 of chapter 170 of the Revised Laws by striking out all after the word "time" in the last sentence so that said section as amended shall read as follows: 16. *Packages.* All liquor sold in state stores shall be sold for consumption off the premises. Such liquor shall be in packages, sealed with the seal of the commission, containing such quantity as said commission shall prescribe; and the commission is authorized to prescribe the form of bottle and package, and to bottle said liquor as it may deem necessary and proper. The price of all liquor sold shall be sufficient to pay for the liquor purchased, plus the operating expenses of the state stores, plus a proportionate part of the overhead expenses of the commission, plus an additional charge; all to be determined by the commission. Purchases of liquor shall be made on requisition in such form as the commission may prescribe. Said commission is hereby authorized to limit the amount of liquor which may be purchased by any person at any one time.

On motion of Mr. Foote of Portsmouth the House voted to non-concur in the amendments sent down from the Honorable Senate, and that a Committee of Conference be appointed.

The Speaker appointed as members of such committee, on the part of the House, Messrs. Foote of Portsmouth, McCaffery of New Castle and Pickett of Keene.

The message further announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bills:

Senate Bill No. 77, An act defining the powers of the justices of the superior court.

Senate Bill No. 100, An act increasing penalties in certain criminal cases and relating to procedure in the superior court.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution, sent up from the House of Representatives:

House Bill No. 54, An act relating to scholarships for orphans of the world wars.

House Bill No. 89, An act relative to qualifications for old age assistance.

House Joint Resolution No. 41, Joint resolution for inclusion of forest management and soil conservation practices in all flood control plans carried out by the federal government in the state of New Hampshire in coordination with state authorities.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 98, An act relating to weather control.

Senate Bill Read and Referred

Senate Bill No. 98, An act relating to weather control.

Read a first and second time and referred to the Committee on Judiciary.

Concurrent Resolution

Mr. Ecker of Manchester offered the following concurrent resolution:

Whereas, this Honorable House of Representatives and its affiliate the Honorable Senate have been in session since January 3, 1951, and

Whereas, it now looks as if these illustrious bodies would still be in session on January 3, 1952, if something unforseen does not occur very soon, and

Whereas, at long last the reason for the repeated barbs contained under the State House Dome column in regard to how much money it was costing the state for the legislature to remain in session, has now come to light, and

Whereas, we have learned that our genial reporter for the famous column, contained in the Manchester *Union* and *Leader*, Frank O'Neil, wishes to start his vacation, which he has been setting forward since the beginning of June, now therefore be it

Resolved, That this House of Representatives, the Senate concurring, out of consideration for Frank, speed up its deliberations in some way so that he may go upon his long deferred outing.

The resolution was referred to the Committee on Public Welfare.

Order Vacated

On motion of Mr. Geisel of Manchester the rules of the House were suspended, and the order whereby the above concurrent resolution was referred to the Committee on Public Welfare, was vacated and the resolution was referred to the Committee on Banks.

Resolution

Mr. Perkins of Concord offered the following resolution:

Whereas, the Honorable Robert A. Taft, United States Senator from the State of Ohio, will on August 21, 1951, be a visitor within this state, therefore be it

Resolved, That the Honorable Senator Taft be invited to address this House at 11:00 o'clock in the forenoon on August 21, and therefore be it further

Resolved, That His Excellency the Governor, the Honorable Council and the Honorable Senate be invited to join with us on this occasion.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended, business in order at 3:00 o'clock was made in order at the present time, and the third reading of bills were read by their titles only.

Third Reading

House Bill No. 138, An act relating to the University of New Hampshire.

House Bill No. 459, An act relating to the listing of tax exempt property.

Severally read a third time and passed, and sent to the Senate for concurrence.

Reconsideration

Mr. Pickett of Keene moved that the House reconsider its vote whereby it passed House Bill No. 138.

On a *viva voce* vote the motion did not prevail.

On motion of Mr. Brunel of Concord at 1:38 o'clock the House adjourned.

THURSDAY, AUGUST 16, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God of wisdom and strength, as we come face to face with conflicting motives and unwise appeals that seek to dominate our thinking and actions, sustain us with Thy strong and courageous arm of goodness, Thy pure virtue and dominant honesty. As we come to the closing days of this legislative session, help us to be ever mindful that these are serious and important days and demand serious thought and consideration. May we not be swayed by emotion or lulled by indifference, but help us, our God, to finish the task set before us in such a manner that it will be to the glory of Thy name and the welfare of our Commonwealth. Amen.

Leaves of Absence

Mr. Lecomte of Fremont was granted leave of absence for the day on account of illness.

Mrs. Jackson of Dublin and Mr. Washburn of Bartlett were granted leave of absence for the day on account of important business.

Mr. English of Hancock was granted leave of absence for two weeks on account of important business.

Engrossed Bills

Mrs. Holmes of Amherst, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled House bill:

House Bill No. 60, An act relative to exemptions under the income tax act.

The report was accepted.

Committee Reports

Mr. Scamman of Stratham, for the Committee on Appropriations, to whom was referred House Bill No. 56, An act for county cooperative extension work in agriculture and home economics, having considered the same, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the words "seventy-four" in the sixth line and inserting in place thereof

the words, seventy-two, so that said section as amended shall read as follows:

1. *University of New Hampshire.* Amend section 17-a of chapter 222 of the Revised Laws as inserted by chapter 219 of the Laws of 1947 by striking out said section and inserting in place thereof the following: 17-a. *County Extension Work.* There shall be appropriated annually by the state the sum of seventy-two thousand dollars for the purpose of conducting cooperative extension work in agriculture and home economics in the various counties of the state in cooperation with the federal department of agriculture and the said counties and in furtherance of the so-called Smith-Lever Act as accepted by the state under the provisions of chapters 194 and 195 of the Laws of 1915. The sums herein appropriated shall be expended through the New Hampshire College of Agriculture and the Mechanic Arts and the University of New Hampshire. From said appropriation there shall be paid not exceeding the sum of six thousand dollars per year toward the maintenance of a county agricultural agent, a home demonstration agent and a club agent in any county which shall appropriate at least an equal amount for said purposes in said county; and there shall be paid not exceeding the sum of two thousand dollars, per year, toward the maintenance of each assistant agent in any county which shall appropriate at least an equal amount for said purpose in said county. The sums hereinbefore appropriated shall be paid to the treasurer of the university and college in four equal installments on the first day of July, October, January and April of each fiscal year.

Further amend said bill by inserting after section 1 the following new section:

2. *Appropriation.* In addition to the annual appropriations provided in the appropriation acts for county extension work under section 17-a of chapter 222 of the Revised Laws, there is hereby appropriated for the same purposes the sum of eleven thousand dollars, for the fiscal year ending June 30, 1952, and a like sum for the fiscal year ending June 30, 1953.

Further amend said bill by renumbering section 2 to read section 3.

The report was accepted, the amendments adopted and the bill ordered to a third reading.

Mr. Rowell of Newport, for the Committee on Appropriations, to whom was referred House Bill No. 375, (in new draft and with new title), An act to establish a legislative council, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Establishment of Legislative Council; Members; Appointment.* There is hereby established a legislative council to consist of fifteen members, nine from the house of representatives to be appointed by the speaker, three from the senate to be appointed by the president, and three others who are neither members of the legislature nor state officials or employees to be appointed by the governor. The members appointed by the speaker shall be representatives of both political parties and shall be appointed in the same ratio as the said parties bear to each other in the elected membership of the house. Of the members appointed by the president, two shall be from the majority party and one from the minority; of the members appointed by the governor, two shall be of the majority party and one of the minority. Such appointments shall, so far as possible, be so distributed as to make the legislative council representative of all sections of the state. Members of the legislative council shall be appointed prior to adjournment of the regular biennial sessions of the legislature and shall hold office from the date of their appointment until the convening of the next succeeding biennial session of the legislature following their appointment. Any vacancy arising in the membership shall be filled by the appointing official.

Amend section 6 of the bill by striking out the word "ten" in the first line and inserting in place thereof the word, five, so that said section as amended shall read as follows:

6. *Appropriation.* The sum of five thousand dollars is hereby appropriated for the biennium ending June 30, 1953 for purposes of this chapter.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Ferguson of Pittsfield spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Barry of Wilton, for the Committee on Appropriations, to whom was referred House Bill No. 421, An act making appropriations for capital improvements and long term repairs for the state of New Hampshire, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass:

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Appropriation.* The sum of nine hundred seventy-six thousand, four hundred fifty-one dollars is hereby appropriated for the purposes and in the amounts specified in this section, which purposes shall include such related improvements, facilities, equipment and furnishings as are necessary to complete the same.

I. For the state hospital:

Extension of sprinkler system	$92,400.00	
New bakery	110,000.00	
Facilities for sexual psychopaths	20,000.00	
Alterations to power plant	75,000.00	
Slate roof—Thayer building	22,000.00	
Remodel Thayer building	30,282.00	
X-ray unit	12,000.00	
Farm improvements	19,900.00	
Maintenance equipment	5,100.00	
Beds for infirmary	6,996.00	
Nursing equipment	2,870.00	
Automobile—new and replacement	4,000.00	
Laundry	22,000.00	
Accoustic ceiling, Brown building	4,410.00	
		$426,958.00

II. For state prison:

Rewire farm building	$6,000.00
Milk room addition	1,500.00

	High voltage service entrance	6,000.00	
	Remodel guard room	20,000.00	
	Kitchen and dining room equipment	11,500.00	
	Farm improvements	7,650.00	
	Machine shop equipment	10,000.00	
	Rewire tenements	5,500.00	
	Oil burner and boiler house	9,500.00	
			77,650.00
III. (a)	For Keene Teachers College: Oil burner and heating plant		25,000.00
(b)	For Plymouth Teachers College:		
	Summer hot water service, Hall dormitory from May Lyons	$1,500.00	
	Water treatment	2,500.00	
			4,000.00
IV.	For Sanatorium:		
	Transformer station	$9,500.00	
	Rebuild substation	7,000.00	
	Sand filter and chlorinator	10,000.00	
	Pasteurization	10,000.00	
	Fluroscopy equipment	1,858.00	
			38,358.00
V.	For Laconia State School:		
	Physician's cottage addition	$4,000.00	
	Male ward building	270,000.00	
	Addition to laundry	16,000.00	
	Purchase Pitman land	5,000.00	
	Addition to piggery	3,000.00	
	Refrigeration—Sanborn and Quimby buildings	13,485.00	
	Heating farm houses	1,800.00	
	Murphy building—fire stair exit	5,000.00	
	Coal bunker	2,200.00	
	Ventilation vegetable storage	1,500.00	
	Ventilation boiler house	2,000.00	
	Water main and fire protection	40,000.00	
	Replace garage destroyed by fire	35,000.00	
			398,985.00

VI. For state police:	
Radio service garage	5,500.00
Total	$976,451.00

2. *Additional Appropriation.* The sum of thirty-two thousand dollars is hereby appropriated for the Fish and Game Department as follows:

For Fish and Game:		
Brentwood game farm	$8,000.00	
Brentwood dwelling house addition	3,500.00	
Brentwood pheasant pens	1,500.00	
Dwelling—New Durham	15,000.00	
Flood Control—Richmond	1,000.00	
Wells—Twin Mountain	1,500.00	
Wells—Colebrook	1,500.00	
		32,000.00
Total Capital Budget		$1,008,451.00

3. *Expenditures.* The appropriations made for the purposes mentioned in section 1 and the sums available for those projects shall be expended by the trustees, commission, or department head of the institutions and departments referred to therein, provided that all contracts for projects and plans and specifications therefor shall be awarded in accordance with the provisions of chapter 90-A of the Revised Laws as inserted by Part 9 of chapter 5, Laws of 1950. The appropriation made and the sum made available for the project referred to in section 2 above shall be expended by the Fish and Game Department provided that all contracts for projects and plans and specifications therefor shall be awarded in accordance with the provisions of chapter 90-A of the Revised Laws as inserted by Part 9 of chapter 5, Laws of 1950.

4. *Federal Assistance.* The governor and council are hereby authorized to co-operate with and enter into such agreements with the federal government, or any agency thereof, as they may deem advisable to secure federal funds for the purposes hereof.

5. *Contracts.* All contracts entered into by the state for any of the projects hereinbefore mentioned shall be award-

ed to the lowest responsible bidder submitting a sealed bid after an advertisement calling for bids has been published at least once in two successive weeks in a newspaper of general circulation in New Hampshire, provided that the state may reject any or all bids. If not more than one bid is received, the governor and council may negotiate a contract upon terms which it may deem most advantageous to the state.

6. *Use of Funds.* The sums as appropriated in each project of section 1 shall be used as allotted and funds not used shall lapse.

7. *Bonds and Notes Authorized.* To provide funds for the appropriation made by section 1 hereof the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state not exceeding the sum of nine hundred seventy-six thousand, four hundred fifty-one dollars and to provide funds for the appropriation made in section 2 hereof not exceeding the sum of thirty-two thousand dollars and for said purposes may issue bonds and notes in the name and on behalf of the state of New Hampshire. The governor and council shall determine the form of such bonds or notes, their rate of interest, the dates when interest shall be paid, the dates of maturities, the places where principal and interest shall be paid and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state.

8. *Payments.* The payment of principal and interest on bonds or notes issued for the purposes of section 1 shall be made from the special fund as provided by chapter 126 of the Laws of 1931 as amended. The payment of principal and interest on bonds or notes issued for the purposes of section 2 shall be from income of the fish and game department.

9. *Proceeds from Sale.* The proceeds of the sale of said bonds or notes shall be held by the treasurer and paid out by him upon warrants drawn by the governor for the purposes of this act alone. The governor, with the advice and consent of the council, shall draw his warrants for the payments from the funds provided for herein of all funds expended or due for the purposes herein authorized.

10. *Accounts.* The secretary of state shall keep an account of all such bonds or notes countersigned by the gov-

ernor, showing the number and amount of each bond or note, the time of countersigning, the date of delivery to the treasurer and the date of maturity. The state treasurer shall keep an account of each bond or note showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale and the date of maturity.

11. *Short Term Notes.* Prior to the issuance of the bonds or notes hereunder, the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short term loans, which may be refunded by the issuance of the bonds or notes hereunder. Provided, however, that at no one time shall the indebtedness of the state on such short term loans exceed the sum of nine hundred seventy-six thousand four hundred fifty-one dollars ($976,451) for the purposes of section 1 and the sum of thirty-two thousand dollars ($32,000) for the purposes of section 2.

12. *Sale of Bonds or Notes.* All bonds or notes except short term loans issued under the provisions of this act shall be sold (1) at public sealed bidding (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire, and (3) to the highest bidder provided, however, that the governor and council may reject any or all bids and may negotiate for said sale upon terms which it may deem most advantageous to the state.

13. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted and the bill with amendment pending laid upon the table under Rule No. 48.

Special Order

Mr. Sanborn of Wakefield moved that the bill be made a special order for today at 11:45 o'clock.

The question being on the motion for a special order.

(Discussion ensued)

Mr. Sanborn of Wakefield spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mr. Rowell of Newport, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 6,

Joint resolution in favor of David A. Proctor, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass:

Amend the caption of the joint resolution by striking out the same and inserting in place thereof the following:

Joint resolution in favor of Paul MacEwen, Treasurer Horne Nursery, Inc.

Amend the joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of two thousand dollars ($2,000.00) is hereby appropriated to Paul MacEwen to compensate him for deer damage to his property at Manchester. The sum hereby appropriated shall be in full settlement of said claim and shall be a charge upon the fish and game funds.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mrs. Goodwin of Hollis, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 12, Joint resolution in favor of Samuel W. Tenofsky, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass:

Amend the joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of one thousand six hundred four dollars and fifty-seven cents ($1,604.57) is hereby appropriated as follows: The sum of one hundred five dollars and seventeen cents to be allowed and paid to Elliot Community Hospital, Keene, New Hampshire; the sum of one thousand three hundred nineteen dollars and forty cents to be allowed and paid the Bullard & Shedd Company, Inc., Keene, New Hampshire; the sum of one hundred eighty dollars to be allowed and paid to Keene Visiting Nurse Association, Keene, New Hampshire, expenses on account of an accident suffered by Samuel W. Tenofsky on August 26, 1944, when on duty as a member of the state guard. The governor is hereby authorized to draw his warrants for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Pickett of Keene spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Scamman of Stratham, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 17, Joint resolution relating to the preservation of historic military flags, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Sawyer of Concord, for the Committee on Judiciary, to whom was referred House Bill No. 264, An act relative to record of sale of personal property, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relative to operation of motor vehicles in a grossly careless or grossly negligent manner, suspension of licenses in such cases, and military service credits.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Mandatory Return of License to Commissioner.* Amend section 13 of chapter 118 of the Revised Laws, as inserted by section 2, chapter 180, of the Laws of 1951 by striking out said section and inserting in place thereof the following:

13. *Revocation of License.* Upon a conviction of a violation of sections 12 or 16 the court or justice shall report to the commissioner, and may, for a conviction for grossly careless or grossly negligent operation, and shall, for conviction of any other violation under sections 12 or 16, immediately revoke the license of the person so convicted, and said court or justice in the case of holders of New Hampshire licenses shall return such license with his findings marked thereon, together with the court return, to the commissioner; and the commissioner may revoke the license of any person who shall be convicted of a similar offense by a court of any other state.

2. *Return of License in Appealed Cases.* Amend section 14 of chapter 118 of the Revised Laws as inserted by section 2

of chapter 180 of the Laws of 1951 by striking out the same and inserting in place thereof the following:

14. *Suspension.* Whenever any person convicted of a violation of section 12 or section 16 appeals, the municipal court or justice may, in case of conviction for grossly careless or grossly negligent operation, and shall, in case of any other convictions under said sections, forthwith suspend the license of such person, and in case of holders of New Hampshire licenses shall return such licenses, together with the court return, to the commissioner, who shall not reissue said license until such person is acquitted. If the person so appealing is convicted the period of suspension shall be computed from the date of the initial conviction.

3. *Military Service Credits.* Amend section 4, chapter 136-B of the Revised Laws as inserted by chapter 6, Laws of 1950, by adding at the end thereof the following new paragraph:

V. Any member who after the date of establishment terminated his employment in order to enter directly into the armed forces of the United States or other emergency wartime service of the United States approved by the board of trustees, shall be entitled to service credit for the period of such military or other wartime service, provided he is reemployed as a teacher within a year after the termination of such military or other wartime service, unless he is prevented from such reemployment by virtue of disability incurred during the period of such military or other wartime service, and provided further that he elects to make all payments to the system he would have been required to make had he been employed as a teacher during the period of such military or other wartime service.

4. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted.

The question being on the amendments.

(Discussion ensued)

Mr. Perkins of Concord spoke in favor of the amendments.

On a *viva voce* vote the amendments were adopted, and the bill ordered to a third reading.

Mr. Perkins of Concord, for the Committee on Judiciary, to whom was referred concurrent resolution memorializing congress to call a convention for the purpose of considering an amendment to the Constitution of the United States relative to taxes on income, inheritances and gifts, reported the same with the following amendments, and the recommendation that the concurrent resolution as amended ought to pass:

Amend said concurrent resolution by striking out the entire resolution and inserting in place thereof the following:

Concurrent Resolution

Making application to the Congress of the United States for the calling of a convention to propose an amendment to the Constitution of the United States.

Whereas, Article V of the Constitution of the United States reads in part as follows: "The Congress * * * on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this constitution, when ratified by the legislatures of three-fourths of the several states — — " ; and

Whereas, The General Court of the state of New Hampshire, in view of the increasing tax problems of the state, caused in large part by the invasion of tax sources by the federal government, believes that its problems as well as the problems of other states similarly situated, can be solved only by some restraint upon present unrestrained exercise of the taxing power by the federal government; and

Whereas, The federal government is using and has been using for a number of years the taxing power to produce revenue beyond a legitimate necessity of a federal government, other than defense needs, and has been using the funds so raised to invade the province of legislation of the states and to appropriate in many fields that which amounts to a dole to the states of the money raised therefrom to accomplish many purposes, most of them worthy, but by the described process making the money available only under conditions which result in a control by the federal government from centralized agencies in Washington, in many cases unfit, and in other cases unable to administer the laws according to the local needs because of varying conditions in the country

as a whole; resulting in inequities in the administration of the very benefits purported to be granted; and

Whereas, State and local needs are disadvantaged because the people are already taxed far beyond the real need for any purpose other than forcing the centralization of all government in Washington: and

Whereas, the framers of the Constitution of the United States clearly foresaw the possibility of a condition similar to that herein described, and made provision in the Constitution for safeguarding the states against any oppression or invasion of rights by the federal government; therefore be it

Resolved, by the House of Representatives, the Senate concurring, That said legislature of New Hampshire hereby and pursuant to Article V of the Constitution of the United States, makes application to the Congress of the United States to call a convention for the proposing of the following amendment to the Constitution of the United States:

Article —

Section 1. The power to levy taxes and appropriate the revenues therefrom heretofore granted to the Congress by the states in the several articles of this constitution is hereby limited.

Sec. 2. This article shall be in effect except during a state of war, hereafter declared, when it shall be suspended. The suspension thereof shall end upon the termination of the war but not later than three months after the cessation of hostilities, whichever shall be earlier. The cessation of hostilities may be declared by proclamation of the President or by concurrent resolution of the Congress or by concurrent action of the legislatures of 32 states.

Sec. 3. Notwithstanding the provisions of Article V, this article may be suspended for a time certain or amended at any time by concurrent action of the legislatures of three-fourths of the states.

Sec. 4. There shall be set aside in the treasury of the United States a separate fund into which shall be paid 25 per cent of all taxes collected by authority derived from the sixteenth amendment to this constitution, except as provided in section 5, and 25 per cent of all sums collected by the United States from any other tax levied for revenue.

Sec. 5. There shall be set aside in the treasury of the United States a separate fund into which shall be paid all sums received from taxes levied on personal incomes in excess of 50 per cent thereof and from taxes levied on income or profits of corporations in excess of 38 per cent thereof.

Sec. 6. Before paying any sums into the funds created by sections 4 and 5 hereof, the treasurer of the United States shall deduct therefrom 20 per cent which shall be used in payment of the principal of the national debt of the United States.

Sec. 7. No tax shall hereafter be imposed on that portion of the incomes of individuals which does not exceed, in the case of unmarried persons the sum of $600.00 per annum, and in the case of married persons the sum of $1,200 per annum jointly. A minimum deduction of $600.00 per annum shall be allowed for each dependent.

Sec. 8. The treasurer of the United States shall once in each year, from the separate fund created by section 4 hereof, pay to each of the several states 1/4 of 1 per cent of said fund and from the remainder of said fund shall pay to each state a portion of such remainder determined by the population of each state in ratio to the entire population of the several states according to the last federal decennial census or any subsequent general census authorized by law.

Sec. 9. The treasurer of the United States shall, from the separate fund created by section 5 hereof, pay to each state, once in each year, a sum equal to the amount of money in such fund which was collected from persons or corporations within such state.

Sec. 10. Any sums paid hereunder to the several states shall be available for appropriation only by the legislatures thereof. The legislatures may appropriate therefrom for any purpose not forbidden by the constitutions of the respective states and may appropriate therefrom for expenditures within the states for any purpose for which appropriations have heretofore been made by the Congress except such purposes as are specifically reserved by this constitution for the exclusive power of the Congress. The people of each state may limit the expenditures of funds herein made available to the legislature, but shall not direct the appropriation thereof.

Sec. 11. Each legislature shall have power by rule or resolution to provide for the assembly thereof in special ses-

sions for the purpose of considering amendments to, the suspension of or the ratification of amendments proposed to this article.

Sec. 12. Each legislature shall have power to elect one or more persons to represent such legislature in any council or convention of states created by concurrent action of the legislatures of 32 states for the purpose of obtaining uniform action by the legislatures of the several states in any matters connected with the amendment of this article.

Sec. 13. The Congress shall not create, admit or form new states from the territory of the several states as constituted on the first day of January, 1949, and shall not create, form or admit more than three states from the territories and insular possessions under the jurisdiction of the United States on the first day of January, 1949, or from territory thereafter acquired without the express consent of the legislatures of 3/4 of the several states.

Sec. 14. On and after January 1, 1949, the dollar shall be the unit of the currency. The gold content of the dollar as fixed on January 1, 1949, shall not be decreased.

Sec. 15. Concurrent action of the legislatures of the several states as used herein shall mean the adoption of the same resolution by the required number of legislatures. A limit of time may be fixed by such resolution within which such concurrent action shall be taken. No legislature shall revoke the affirmative action of a preceding legislature taken therein.

Sec. 16. During any period when this article is in effect the Congress may, by concurrent resolution adopted by two-thirds of both houses wherein declaration is made that additional funds are necessary for the defense of the nation, limit the amount of money required by this article to be returned to the several states. Such limitation shall continue until terminated by the Congress or by concurrent action of a majority of the legislatures of the several states. Upon termination of any such limitation the Congress may not thereafter impose a limitation without the express consent by concurrent action of a majority of the legislatures of the several states.

Sec. 17. This article is declared to be self-executing, and be it further

Resolved, That attested copies of this concurrent resolution be sent to the presiding officers of each House of the Con-

gress and to each member of the New Hampshire delegation in Congress, and that printed copies thereof, showing that said concurrent resolution was adopted by the legislature of New Hampshire, be sent to each House of each legislature of each state of the United States, and be it further

Resolved, That this application hereby made by the legislature of the state of New Hampshire shall constitute a continuing application in accordance with Article V, of the Constitution of the United States until at least two-thirds of the legislatures of the several states shall have made similar applications pursuant to said Article V; and be it further

Resolved, That since this is an exercise by a state of the United States of a power granted to it under the Contstitution, the request is hereby made that the official journals and Record of both Houses of Congress, shall include the resolution or a notice of its receipt by the Congress, together with similar applications from other states, so that the Congress and the various states shall be appraised of the time when the necessary number of states shall have so exercised their power under Article V of the Constitution; and be it further

Resolved, That since this method of proposing amendments to the Constitution has never been completed to the point of calling a convention and no interpretation of the power of the states in the exercise of this right has ever been made by any court or any qualified tribunal, if there be such, and since the exercise of the power is a matter of basic sovereign rights and the interpretation thereof is primarily in the sovereign government making such exercise and since the power to use such right in full also carries the power to use such right in part the legislature of the state of New Hampshire interprets Article V to mean that if two-thirds of the states make application for a convention to propose an identical amendment to the Constitution for ratification with a limitation that such amendment be the only matter before it, that such convention would have power only to propose the specified amendment and would be limited to such proposal and would not have power to vary the text thereof nor would it have power to propose other amendments on the same or different propositions; and be it further

Resolved, That the legislature of the state of New Hampshire does not, by this exercise of its power under Article V,

authorize the Congress to call a convention for any purpose other than the proposing of the specified amendment which is a part hereof; nor does it authorize any representative of the state of New Hampshire who may participate in such convention to consider or to agree to the proposing of any amendment other than the one made a part hereof; and be it further

Resolved, That by its actions in these premises, the legislature of the state of New Hampshire does not in any way limit in any other proceeding its right to exercise its power to the full extent; and be it further

Resolved, That the Congress, in exercising its power of decision as to the method of ratification of the proposed article by the legislatures or by conventions, is hereby requested to require that the ratification be by the legislatures.

The report was accepted.

The concurrent resolution with amendment pending was laid upon the table under Rule No. 48, to be taken up Tuesday, August 21.

Taken from the Table

Mr. Pillsbury of Manchester moved that the following bills and joint resolutions be taken from the table:

House Bill No. 107, An act relative to making appropriations for and on behalf of the New Hampshire Wing, Civil Air Patrol.

House Bill No. 416, An act relative to retirement benefits for court stenographers.

House Joint Resolution No. 14, Joint resolution relative to a memorial in honor of John Langdon.

House Joint Resolution No. 20, Joint resolution establishing a lobster fund.

The question being on the motion to take from the table.

On a *viva voce* vote the motion prevailed, and the bills previously having been ordered to a third reading were stated to be read a third time this afternoon.

Mr. Pillsbury of Manchester moved that House Bill No. 111, An act relative to conservation and the control of lakes, ponds, rivers, and streams for public use and benefits be taken from the table.

On a *viva voce* vote the motion to take from the table prevailed.

The question being, Shall the bill be read a third time?

On a *viva voce* vote the bill was ordered to a third reading.

Special Order

Mr. Sanborn of Wakefield called for the special order for 11:45 o'clock.

It being House Bill No. 421, An act making appropriations for capital inmprovements and long term repairs for the state of New Hampshire.

The question being on the amendments.

On a *viva voce* vote the amendments were adopted and the bill ordered to a third reading..

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to recall from the governor for further consideration Senate Bill No. 68, An act to authorize housing authorities to undertake to secure the availability of dwellings for persons engaged in national defense activities.

The message further announced that the Senate had voted to non-concur with the House of Representatives in its amendments to Senate Bill No. 68, An act to authorize housing authorities to undertake projects to secure the availability of dwellings for persons engaged in national defense activities, and asks for a Committee of Conference, and the President appointed as members of such a committee on the part of the Senate, Senators Dole and O'Malley.

On motion of Mr. Chandler of Warner the House voted to accede to the request of the Senate for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House, Messrs. Turner of Keene, Lamprey of Moultonborough and Sawyer of Concord.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives.

House Bill No. 60, An act relative to exemptions under the income tax act.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 89, An act relative to qualifications for old age assistance.

Amend section 1 of said bill by striking out the first four lines and inserting in place thereof the following:

1. *Old Age Assistance; Residential Requirements.* Amend section 12 of chapter 126 of the Revised Laws as amended by chapter 43 of the Laws of 1945, section 4, chapter 90, Laws of 1951 and section 1, chapter 206, Laws of 1951, by inserting after paragraph (a) (a) the following new paragraph: (a) (a) (a). For the purposes hereof a person shall be eligible for aid to the

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *Payment for Grants.* Amend section 21 of chapter 126 of the Revised Laws as amended by section 7, chapter 90 of the Laws of 1951 by striking out said section and inserting in place thereof the following: 21. *Reimbursement of Funds.* All expenditures in carrying out the purposes of this chapter relative to old age assistance or aid to the permanently and totally disabled shall be made in the first instance from the public assistance fund hereby created, but each county or town shall, within sixty days from notice thereof, reimburse said fund for all assistance granted to aged persons or permanently and totally disabled persons for which such county or town is liable to the extent of twenty-five per cent thereof, provided that in the case of aged persons qualifying under the provisions of paragraphs (a) (a) (a) of section 12, the county or town liable therefor shall reimburse said fund for said assistance to the extent of fifty per cent thereof.

On motion of Mr. Perkins of Concord the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills, sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entilted bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 160, An act relating to real estate brokers and salesmen.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Real Estate Brokers and Salesmen.* Amend the Revised Laws by inserting after chapter 321 the following new chapter:

Chapter 321-A

1. *Definitions.* Certain terms used in this act shall be construed as follows unless a different meaning is clearly apparent from the language or context:

"Commissioner" means the insurance commissioner.

"Commission" means real estate commission as hereinafter provided.

"Real estate broker" means a person, firm, partnership, association or corporation who for a consideration lists for sale, sells, exchanges or offers for sale or exchange, buys or offers to buy or negotiates the purchase, exchange or sale of real estate, or rents or offers to rent real estate or improvements therein, as a whole or partial vocation.

"Real estate salesman" means a person employed by a real estate broker to list for sale, sell or offer for sale, to buy or offer to buy or to negotiate the purchase, sale or exchange of real estate for or in behalf of such real estate broker.

"Non-resident broker" means a real estate broker as herein defined who resides outside the state but deals in New Hampshire property.

"Non-resident salesman" means a real estate salesman as defined herein who resides outside the state but deals in New Hampshire property.

The provisions of this chapter shall not apply to any person, partnership, association, or corporation who as owner, lessor or lessee shall perform any of the acts aforesaid with reference to property owned or leased by or to said owner or lessor, or to the regular employees thereof, with respect to the

property so owned or leased, where such acts are performed in the regular course of, or as an incident to the management of such property and the investment therein, nor shall the provisions of this chapter apply to persons acting as attorney in fact under a duly executed power of attorney from the owner in proper form for record, authorizing the final consummation by performance of any contract for the sale, leasing, or exchange of real estate, nor shall this chapter be construed to include in any way the services rendered by an attorney at law in the performance of his duties as such attorney at law; nor shall it be held to include, while acting as such, a receiver, trustee in bankruptcy, administrator, or executor, or any person selling real estate under order of any court nor to include a trustee acting under a trust agreement, deed of trust, or will, or the regular salaried employees thereof.

2. *Real Estate Commission.* There is hereby established a real estate commission to consist of five members to be appointed by the governor with the advice and consent of the council, one of whom shall be designated by the governor as chairman. Of the first appointments two members shall be appointed for a term of one year each and three members shall be appointed for a term of two years each and thereafter the term of each member shall be for two years and until a successor is appointed and qualified. Vacancies shall be filled for the remainder of the unexpired term. Said commission shall act in an advisory capacity to the insurance commissioner in the administration of this chapter.

3. *Qualifications; Expenses.* Members of the commission shall be real estate brokers of good repute in their respective communities and shall have been engaged as such for five or more years. The members of the commission shall receive no compensation for their services but shall be allowed their reasonable expenses while on official business of the commission.

4. *License Required.* On and after January 1, 1952, no person shall carry on business in this state as a real estate broker or salesman nor shall hold himself out as such broker or salesman nor advertise himself as such unless he shall have first obtained a license from the commissioner as provided in this chapter.

5. *Applications for License.* Applications for the

licenses required by this chapter shall be made in writing to the commissioner, on such forms and in such manner and accompanied by such evidence in support of such application as shall be prescribed by the commissioner. In the case of resident brokers and salesmen, application for a license in the first instance shall be accompanied by the recommendations of two officers of banks or trust companies in the county in which such applicant resides certifying that the applicant bears a good reputation for honesty, competency, and fair dealing. In the case of non-resident brokers and salesmen, the application shall be accompanied by the recommendations of two officers of banks or trust companies, one of whom shall be a resident of New Hampshire and one of whom shall be a resident in the county in which the applicant resides. The application for a salesman's license shall be accompanied by a written statement of the employing broker stating that in his opinion the applicant is honest, competent and of good reputation. No license shall be issued to a person under twenty-one years of age.

6. *Issuing Licenses.* Upon being satisfied that the applicant is of good repute, reliable, suitable and entitled to public confidence, the commissioner shall issue a license to such applicant in the capacity requested in the application. Licenses shall be issued for the period of one year and shall expire one year after date of issue.

7. *Types of Licenses.* Two classes of licenses may be issued, namely a broker's license and salesman's license. In the case of a firm, partnership, association or corporation applying for license as a broker, the license shall be issued to the firm, partnership, association or corporation and each member thereof actively engaged in selling real estate shall be listed thereon. Non-resident licenses shall be designated as such. In the event a salesman terminates his employment with one broker and becomes associated with another, a new license shall be required, but without additional fee for the balance of that license year. It shall be the duty of a broker to immediately notify the commissioner upon the termination of employment of a salesman in his employ.

8. *Fees.* The initial fee for a broker's license shall be fifteen dollars and the renewal of such license shall be ten dollars. The initial fee for a real estate salesman's license shall

be ten dollars and the renewal of such license shall be five dollars. The initial fee for a broker's license to a firm, partnership, association or corporation shall be fifteen dollars plus ten dollars for each named member over one, and the renewals of such license shall be ten dollars plus five dollars for each member over one. Non-resident fees shall be reciprocal to those charged in such other states, but not less than fees charged residents. Payment of the fees shall accompany the application.

9. *Non-resident; Service and Process.* Every non-resident applicant shall file a stipulation irrevocably appointing the commissioner and his successor in office as his true and lawful attorney upon whom may be served all lawful process in any action or proceeding against him. Service of such process shall be accompanied by a fee of two dollars, and such service shall be sufficient, provided that notice thereof and a copy of the process are forthwith sent by registered mail by the plaintiff or his attorney to the defendant.

10. *Certificate and Card.* The commissioner shall prepare and issue to each licensee a pocket card and certificate showing that a license has been granted. The certificate shall be conspicuously displayed within the licensee's place of business.

11. *Powers.* Full power to control the issuance, revocation and suspension of licenses under the provisions of this chapter shall be vested in the commissioner, subject to rules and regulations of the commission. The commissioner may from time to time publish and distribute a list of the names and addresses of all currently licensed brokers and salesmen. The commission shall have power to make all reasonable rules and regulations to carry out the provisions of this chapter.

12. *Revocation or Suspension.* After hearing and for cause shown the commissioner may revoke the license of any real estate broker or salesman or suspend the same for such period not exceeding one year as he may deem proper. Cause shall be based upon a finding that such licensee has been guilty of dishonest, deceitful, or fraudulent conduct in connection with his business as such broker or salesman, or upon the finding that such licensee is an unsuitable person or not entitled to public confidence.

13. *Hearings.* The commissioner before denying, revoking or suspending a license, shall hold a hearing and give the applicant or licensee at least ten days' notice prior to the date of hearing of any charges made and shall afford such applicant or licensee an opportunity to be heard in person or by counsel in reference thereto. The hearings on such charges shall be at such time and place as the commissioner shall prescribe. The commissioner shall have the power to subpoena and bring before him any person in this state or to take testimony by deposition, in the same manner as is prescribed by law in judicial proceedings. He shall keep a complete stenographic record of his proceedings in such cases. Sheriffs and witnesses shall receive the same fees for the service of process and attendance before the commissioner as are paid sheriffs and witnesses in matters before the superior court.

14. *Decisions.* The determinations of the commissioner shall be in writing and officially signed. The original of such determinations, when so signed, shall be filed in the office of the commissioner and copies thereof shall be mailed to the broker or salesman, addressed to his place of business and to the complainant, if any, within two days after the filing thereof.

15. *Appeal.* The action of the commissioner in refusing, revoking or suspending, or refusing to revoke or suspend, a license shall be subject to review by appeal to the superior court at the instance of the applicant or licensee, or the complainant, if any, within sixty days after the filing of the commissioner's decision, in the county in which the applicant or licensee resides or has his principal place of business.

16. *Funds.* All moneys received by the insurance department from payment of fees hereunder shall be deposited into the state treasury and credited to the general fund of the state. The commissioner is authorized to employ such assistants as may be necessary for the purposes hereof and within the budgetary appropriation.

17. *Report.* The commissioner shall make a biennial report to the governor on or before the first day of December in each even numbered year, including therein an account of receipts received and expenses incurred under the provisions hereof.

18. *Penalty.* Any person violating any of the provisions of this chapter shall be fined not more than one hundred dollars and his license may be suspended or revoked as the commissioner may deem proper.

19. *Delegation of Powers.* The insurance commissioner may delegate to the deputy insurance commissioner such of his powers hereunder as he may deem necessary.

2. *Repeal.* Chapter 227 of the Laws of 1947 relative to real estate agents is hereby repealed.

3. *Appropriation.* The following sums are hereby appropriated for the insurance department for expenses in connection with administration of chapter 231-A of the Revised Laws as hereinbefore inserted:

For the fiscal year ending June 30, 1952:

Personal services	$2,250.00
Current expenses	1,000.00
Equipment	800.00
Travel	700.00
	$4,750.00

For the fiscal year ending June 30, 1953:

Personal services	$3,000.00
Current expenses	600.00
Equipment	200.00
Travel	700.00
	$4,500.00

The sums hereinbefore appropriated shall be a charge upon the general fund.

4. *Takes Effect.* This act shall take effect October 1, 1951.

Mr. Martel of Manchester moved that further reading of the amendment be dispensed with and further moved that the House non-concur in the amendments sent down from the Honorable Senate and that a Committee of Conference be appointed.

On a *viva voce* vote the motion prevailed.

The Speaker appointed as members of such committee on the part of the House, Mr. Tilton of Ward 4, Laconia, Mrs. Kendall of Exeter and Mr. Daniel of Manchester.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives.

House Bill No. 455, An act relative to bond for and duties of the state treasurer.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *Working Capital.* Amend section 5-a of chapter 22 of the Revised Laws, as inserted by section 2 of chapter 21 of the Laws of 1943, by striking out said section and inserting in place thereof the following: 5-a. *Purposes.* The governor is hereby authorized to draw his warrant, with the advice and consent of the council, upon any money in the general fund of the treasury, for departments other than public works and highways or fish and game, for such sums to be set apart from time to time to the credit of the state treasurer as a working capital fund as may appear to the governor and council necessary and proper upon recommendation of the comptroller for such of the following purposes as the governor and council may direct: The prompt payment of bills for materials, equipment and supplies purchased upon purchase orders issued by the director of purchase and property and bills incurred for liquor purchased by the state liquor commission under the provisions of chapter 170, Revised Laws, as amended, on which discounts are available upon such prompt payment; the payment of bills for postage stamps; the payment of salaries and expenses of officers and of persons employed in the state service, as determined by the director of personnel, on payrolls certified by the heads of the said departments, institutions or agencies or their duly authorized deputies and by the director of personnel; any payment of direct aid to welfare recipients under programs administered by the department of public welfare. The governor is likewise (for working capital) hereby authorized to draw his warrant, with the advice and consent of the council, upon any money in the highway fund for the following expenditures for the public works and highways department, or upon any money in the fish and game fund for the following expenditures for the fish and game department:

The prompt payment of bills for materials, equipment and supplies purchased upon purchase orders issued by the director of purchase and property on which discounts are available upon such prompt payment; for the payment of bills for postage stamps, the payment of salaries and expenses of officers and of persons employed in the state service for the respective departments as determined and certified as above provided. No other payments shall be made from said working capitals except as provided for herein. This section shall not authorize the manifesting, approval, or payment of any claims in excess of appropriations or for purposes for appropriations that do not exist. A warrant duly executed under this section shall be sufficient warrant under section 9 of chapter 22 of the Revised Laws.

Further amend said bill by striking out sections 3 and 4 thereof.

Further amend said bill by renumbering section 5 to read section 3, and by striking out the words and figures "as of July 1, 1951" and inserting in place thereof the words, upon its passage, so that said section as amended shall read as follows:

3. *Takes Effect.* This act shall take effect upon its passage.

Mr. McMeekin of Haverhill moved that further reading of the amendment be dispensed with, and further moved that the House non-concur in the adoption of the amendments sent down from the Honorable Senate, and that a Committee of Conference be appointed.

The question being on the motion of the member from Haverhill.

On a *viva voce* vote the motion prevailed.

The Speaker appointed as members of such committee on the part of the House Messrs. McMeekin of Haverhill, Holden of Hanover, and Griffin of Lincoln.

Mr. Geisel of Manchester moved that the rules be suspended to permit the introduction of a joint resolution.

The question being on the motion to suspend rules.

(Discussion ensued)

Messrs. Geisel of Manchester, Brown of Laconia, Pickett of Keene, Chandler of Warner, Plumer of Bristol, Ashley of Lebanon, Charland of Franklin, O'Shan of Laconia and Jones of Lebanon, and Mesdames Saltmarsh of Concord and Dondero of Portsmouth spoke in favor of the motion.

Messrs. Rathbone of Exeter, Pillsbury of Manchester, McMeekin of Haverhill, Baron of Claremont, Ferguson of Pittsfield, Perkins of Concord, Wadleigh of Milford and Sanborn of Wakefield and Mrs. Goodwin of Hudson spoke against the motion.

Mr. Barry of Wilton moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to suspend the rules.

The Speaker called for a division.

A division being had, 142 members having voted in the affirmative, and 129 members having voted in the negative, and less than two-thirds of the elected number of members having voted in the affirmative, the motion to suspend the rules did not prevail.

Mr. Geisel of Manchester demanded the Yeas and Nays but subsequently withdrew his demand.

On motion of Mr. Wadleigh of Milford the rules were suspended and business in order at 3:00 o'clock was made in order at the present time, and the third reading of bills be by their titles only, and when the House adjourns today it be to meet Tuesday at 11:00 o'clock.

Third Reading

House Bill No. 56, An act for county cooperative extension work in agriculture and home economics.

House Bill No. 107, An act relative to making appropriations for and on behalf of the New Hampshire Wing, Civil Air Patrol.

House Bill No. 111, An act relative to conservation and the control of lakes, ponds, rivers and streams for public use and benefits.

House Bill No. 264, An act relative to operation of motor vehicles in a grossly careless or grossly negligent manner,

suspension of licenses in such cases and military service credits.

House Bill No. 375, (in new draft and with new title), An act to establish a legislative council.

House Bill No. 416, An act relative to retirement benefits for court stenographers.

House Bill No. 421, An act making appropriations for capital improvements and long term repairs for the state of New Hampshire.

House Joint Resolution No. 6, Joint resolution in favor of Paul MacEwen, Treasurer, Home Nursery, Inc.

House Joint Resolution No. 12, Joint resolution in favor of Samuel W. Tenofsky.

House Joint Resolution No. 14, Joint resolution relative to a memorial in honor of John Langdon.

House Joint Resolution No. 17, Joint resolution relating to the preservation of historic military flags.

House Joint Resolution No. 20, Joint resolution establishing a lobster fund.

Severally read a third time and passed and sent to the Senate for concurrence.

Reconsiderations

Mr. Pillsbury of Manchester moved that the House reconsider its vote whereby it passed House Bill No. 421.

On a *viva voce* vote the motion did not prevail.

Mr. Pickett of Keene moved that the House reconsider its vote whereby it passed House Bill No. 375.

On a *viva voce* vote the motion did not prevail.

Mr. Black of Bennington moved that the House reconsider its vote whereby it passed House Joint Resolution No. 17.

On a *viva voce* vote the motion did not prevail.

Mr. San' orn of Wakefield moved that the House reconsider its vote whereby it passed House Bill No. 56.

On a *viva voce* vote the motion did not prevail.

Mr. Fernald of Rochester moved that the House reconsider its vote whereby it passed House Joint Resolution No. 20.

On a *viva voce* vote the motion did not prevail.

Mr. Scamman of Stratham moved that the House reconsider its vote whereby it passed House Bill No. 416.

On a *viva voce* vote the motion did not prevail.

Mr. Black of Bennington moved that the House reconsider its vote whereby it passed House Bill No. 107.

On a *viva voce* vote the motion did not prevail.

Mr. Pillsbury of Manchester moved that the House reconsider its vote whereby it passed House Joint Resolution No. 6.

On a *viva voce* vote the motion did not prevail.

Mr. Sanborn of Wakefield moved that the House reconsider its vote whereby it passed House Bill No. 111.

On a *viva voce* vote the motion did not prevail.

On motion of Mrs. Millar of Claremont at 1:47 o'clock the House adjourned.

TUESDAY, AUGUST 21, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God of all Nations, look down upon us who ask Thy help and blessing in these days when we are called upon to make momentous decisions. Sustain us in the spirit of justice and humility, and cultivate in us more fully the love and practice of democracy. We thank Thee, our God, for this good land in which our heritage is cast, for the liberty we enjoy, and for the government in which we share. Keep us ever mindful of the responsibilities laid upon us and faithful to our trust. Endow the members of the Congress and the state Legislature with a right understanding and a pure purpose, that they may rise above purely self-interest. Purge our political life of every evil, and inspire us with that high ideal to get Thy will done here on earth; through Jesus Christ, our Lord. Amen.

Leaves of Absence

Messrs. Spaulding of Hudson and Washburn of Bartlett were granted leave of absence for the week on account of important business.

Engrossed Bills

Mrs. Shields of Berlin, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bill and joint resolution:

House Bill No. 89, An act relative to qualifications for old age assistance.

House Joint Resolution No. 45, Joint resolution in favor of the estate of Emile E. Marquis.

The report was accepted.

Committee Reports
Taken From Table
Concurrent Resolution

Memorializing Congress to call a convention for the purpose of considering an amendment to the Constitution of the United States relative to taxes on income, inheritances and gifts.

The question being on the amendment as printed in the Journal of August 16.

On a *viva voce* vote the amendment was adopted.

The question being on the concurrent resolution as amended.

On a *viva voce* vote the concurrent resolution was adopted, and sent to the Senate for concurrence.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill and joint resolution sent up from the House of Representatives.

House Bill No. 308, An act relative to investments by towns and cities, cemetery corporations, state institutions and the United Baptist Convention in New Hampshire.

House Joint Resolution No. 45, Joint resolution in favor of the estate of Emile C. Marquis.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage

of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 199, An act relative to the salaries of the Grafton County commissioners.

Amend the title of the bill by inserting before the word "Grafton" the words, Strafford and, so that said title as amended shall read as follows:

An act relative to the salaries of the Strafford and Grafton County commissioners.

Amend section 1 by striking out said section and inserting in place thereof the following:

1. *Strafford and Grafton Counties.* Amend section 27 of chapter 47 of the Revised Laws, as amended by chapters 119, 150, 195 and 202 of the Laws of 1943, by chapters 66 and 163 of the Laws of 1945, by chapters 202 and 284 of the Laws of 1947 and by chapters 73 and 162 of the Laws of 1949 by striking out in the fifth line the words "twelve hundred" and inserting in place thereof the words, fourteen hundred, and by striking out in the eleventh line the words "ten hundred" and inserting in place thereof the words, twelve hundred, so that said section as amended shall read as follows:

27. *Commissioners.* The annual salary of each commissioner of the following counties shall be as follows, payable monthly by the county:

In Rockingham, fifteen hundred dollars.
In Strafford, fourteen hundred dollars.
In Belknap, twelve hundred dollars.
In Merrimack, fifteen hundred dollars.
In Hillsborough, three thousand dollars.
In Cheshire, fifteen hundred dollars.
In Sullivan, ten hundred dollars.
In Grafton, twelve hundred dollars.
In Coos, fifteen hundred dollars.

In Carroll County each commissioner, when employed in the business of the county, shall receive eight dollars a day, payable as hereinbefore provided. To the foregoing sums shall be added, in all the counties, a reasonable sum for all necessary expenses, upon order of the county auditors.

Further amend the bill by striking out in section 1, line 5, the words "fourteen hundred" and substituting in place thereof the words, twelve hundred.

Amend section 2 of the bill by striking out the entire section and substituting in place thereof the following: 2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Jones of Lebanon the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 191, An act relating to one day's rest in seven.

Amend the bill by striking out the title and substituting in place thereof the following: An act relating to one day's rest in seven.

Further amend the bill by adding in section 39, subsection 7 after the word "with" the following, retail stores in resort areas, cabins and inns, so that said section as amended shall read as follows: VII. Employees engaged in any work connected with retail stores in resort areas; cabins and inns; and in theatres, motion picture houses, hotels and restaurants.

On motion of Mr. Angus of Claremont the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 15, An act relative to the filing of campaign receipts and expenditures by political committees.

Amend said bill by striking out all after the enacting clause and substituting therefor the following:

1. *Corrupt Practices.* Amend chapter 42 of the Revised Laws, as amended by chapter 185 of the Laws of 1945 and chapter 205 of the Laws of 1947, by striking out the entire chapter and inserting in place thereof the following new chapter:

Chapter 42-A

Political Contributions, Expenditures and Advertising.

1. *Definitions.* As used in this chapter election means general, special or primary election; candidate, any person

voted for; political committee, a combination of two or more persons to influence elections; and political party or party, any political organization which has nominated candidates in any manner provided by law.

2. *Gifts, Contributions and Loans.* No political committee, candidate, manager, agent, or person acting for or in behalf of such committee, candidate, or manager for the purpose of aiding or promoting the success or defeat of any party, principle, measure or person to be voted for at any election, shall give, pay, contribute, advance, or loan or promise to give, pay, contribute, or loan, any money or thing of value whatsoever to any person except as follows:

I. For the transportation, sound trucks, housing and sustenance and minor expenses, strictly incidental to travelling, for members of such committee and for candidates, and for speakers procured by or on behalf of the committee or candidate to speak at any rally or political meeting.

II. For the preparation, printing, and distribution by mail of letters, circulars and other written or printed matter, and for the posting or distribution through any advertising or bill-posting agency of posters, handbills and other advertising matter.

III. For the rental of offices occupied by such committee or candidate, and telephone or telegraph tolls, and for the compensation of secretaries, stenographers and other office employees.

IV. For the rentals of halls and other premises or facilities for the holding of political meetings and rallies, at which political addresses are to be made or candidates are to be present.

V. For advertisements permitted by the provisions of this chapter.

VI. For the payment of speakers.

VII. For the salaries of political agents employed by the committee or candidate to travel from town to town, arranging for political meetings and rallies and doing lawful acts in advancing the objects of the committee or candidate, and for the canvassing of voters.

VIII. For contributions to committees.

IX. For transporting voters, who are in the town or city wherein they are entitled to vote, to and from the polls.

X. For the purchase of radio or television time, office equipment, and supplies.

3. *Excess Expenditures by State, County and Local Committees.* No political party, directly or indirectly, through all of its committees, including state, county and local committees, shall expend in any one year for purposes allowed by this chapter more than one hundred thousand dollars. All gifts, contributions, or loans of money or other things of value to said committees shall be reported to the treasurer of the state committee, who shall keep central accounts of all such receipts, and records of all distributions and expenditures by the state committee. Not more than one-half of said one hundred thousand dollars shall be expended for the purposes enumerated in paragraphs VII and VIII of the foregoing section. The collection by a state committee for and transmission to a national political committee shall not be deemed to be an expenditure by a state committee of a political party under the provisions of this section. The treasurer or members of any county or local committee shall account for receipt of all funds collected by or distributed to them and for their expeditures as required by section 17.

4. *Excess Expenditures by Candidates and Others Prohibited.* No gift, contribution, or loan of any money or other thing of value shall be made or promised, or expense authorized or incurred in behalf of any candidate for nomination or election to any office, whether made, promised, authorized or incurred by the candidate himself or by any other person, or political committee, other than a committee of a political party, in furtherance or in aid of his candidacy, under any circumstances whatsoever, in excess of the sums hereinafer provided; but such sums shall not include money expended by a candidate to meet and discharge any assessment, fee or charge made or levied upon candidates by the laws of this state, or expended for his personal, traveling or subsistence expenses.

5. *Maximum Expenditures for Certain Offices.* The amount which may be spent in aid of the candidacy of any candidate at any election shall not exceed the amounts set opposite the offices hereinafter named:

I. At the primary:

Governor, five thousand dollars

United States senator, thirteen thousand dollars

United States representative, six thousand five hundred dollars
Councilor, two thousand five hundred dollars
State senator or county officer, five hundred dollars
State representative, one hundred and fifty dollars

II. At a general or special election:

Governor, five thousand dollars
United States senator, five thousand dollars
United States representative, two thousand five hundred dollars
Councilor, eight hundred dollars
State senator or county officer, five hundred dollars
State representative, one hundred and fifty dollars

6. *Financial Agents.* Every candidate for nomination or election as governor, United States senator, representative in congress, shall, and candidates for councilor, state senator, or any county office may, before receiving any contribution or expending any money in furtherance or aid of his candidacy appoint a financial agent, who may be the candidate himself, and file a certificate of such appointment, signed by the candidate, with the secretary of state. If his candidacy is established by a primary petition, there shall be annexed to the primary petition in behalf of such candidate the name of the financial agent, if any, for such candidacy.

7. *Financial Agents; Duties.* Upon appointment, the financial agent shall designate as a depository a national or state bank or trust company authorized to transact a banking business in this state, and all funds to be used in furtherance or aid of the candidates' nomination or election shall upon receipt and without unreasonable delay be deposited in said bank by the financial agent. Such designation of a depository bank shall be filed with the secretary of state.

8. *Accounting of Campaign Funds.* No gift, contribution or loan funds, in cash or otherwise, made or expended in furtherance or aid of a candidate's nomination or election shall be received or expended for any purpose including those enumerated as exempted expenditures under section 3 hereof unless it is deposited in and withdrawn from said account. Said deposits shall be recorded on duplicate deposit slips and each gift, contribution, or loan shall be itemized thereon with the full name and address of the person or com-

mittee from which it was received. No person or committee other than a committee of a political party, a financial agent, or a candidate shall make any payment for the benefit of any candidate, and no such person or committee shall, without written consent of the candidate or his financial agent, contract for the payment of any money for the benefit of any candidate. Any anonymous contributions shall, after deposit in said account, be paid over by the financial agent to the state treasury for the use of the general funds of the state. Any balance remaining fifteen days after the primary, general or special election may be withdrawn by the financial agent and that fact together with a statement of its disposition shall be itemized on his return filed with the secretary of state as hereinafter provided.

9. *Time Limit.* All contributions in furtherance or in aid of the candidacy of a candidate for nomination for or election to any public office who is required to or who does appoint a financial agent shall be turned over to the financial agent or such candidate on or before Thursday next following the election at which such candidate is to be voted for. Any contribution received by the financial agent thereafter shall be returned by him to the person sending it, and shall not be used or expended in behalf of such candidate or in furtherance or aid of his candidacy.

10. *Time Limit; Bills.* All bills incurred in the candidacy of any person for nomination or election who is required to file a financial statement as hereinafter provided, shall be presented to the candidate or his financial agent and paid within fifteen days after the primary, general or special election, and not later, unless upon petition by the financial agent or creditor filed with the ballot law commission, such bill may for good cause be allowed to be paid, and a certified copy of the order and receipt of payment shall be filed with the secretary of state. If the commission determines that the bill was presented within the time limited hereunder, the costs of such proceeding, and attorney's fees, may be charged to the candidate.

11. *Political Advertising.* No person, natural or otherwise, no committee, and no newspaper publisher shall publish, or cause to be published, in a newspaper or other periodical any paid matter which is designed or tends to aid

or defeat any candidate for public office, or a constitutional amendment, or any other question submitted to the voters unless the name of the chairman or secretary, or the names of two officers of the political or other organization inserting the same, or the name of some voter who is responsible therefor, with his residence and the street and number thereof, if any, appear in the nature of a signature. Such matter inserted in reading columns shall be marked at the beginning in a distinctive type "Political Advertisement." No person or corporation, within this state, operating a radio or television station or network of such stations, shall broadcast any such paid political matter without first announcing the person or committee paying therefor. No person shall cause any such paid political advertising to be broadcast by radio or television transmission from without the state for reception within this state except upon such prior identification of the person or committee paying therefor.

12. *Circulars, etc.* No person, natural or otherwise, or committee shall mail, give away or distribute any letter, circular or other written or printed matter not contained in a newspaper or other publication printed and published within this state, which is designed or tends to aid, injure or defeat any party, principle, measure or person to be voted for at any election, or wherein the merits of any such party, principle, measure or person shall be discussed, unless the same shall be signed by such person or committee, or shall bear printed or stamped thereon a true statement showing at the expense of what person or committee the same is mailed, given away or distributed. If signed or paid for by a committee, the signature or statement shall include the name and address of the chairman of the committee.

13. *Soliciting Contributions.* No person shall solicit or invite any contribution, subscription or payment from any person who is a candidate for election to, or, prior to the expiration of his term of office, from any person who has been elected to, the office of governor, United States senator, representative in congress, councilor, state senator or representative to the legislature, or from any political committee, for himself or for any fraternal organization, labor organization, lodge, secret society, club or similar organization; nor shall any person solicit or invite any such candidate or elected per-

son or political committee to buy tickets to any entertainment or ball, or for the aid of any such organization, or to pay for space or advertising in any book, program or publication; and no candidate, official or committee shall make any such contribution, subscription, payment or purchase.

14. *Payments for Publication.* No person or corporation, within the state, publishing a newspaper or other periodical or operating a radio or television station or network of such stations shall receive for political advertising or for political broadcasts, a rate more than the rate or rates regularly charged by such person or corporation for commercial advertising or for commercial broadcasts of similar character and classification and no candidate or political committee shall pay for political advertising or broadcasts any rate or charge exceeding such rate or rates regularly charged. Said payments shall be made or sent within three days following publication or broadcast and shall be recorded so as to show the space and time assigned to each publication or broadcast and the full name of the person or committee paying for the same, and the identity of the candidate or principle intended to be benefited by such publication or broadcast. The information so recorded shall be preserved for a period of two years and certified copies shall be sent to the attorney general when and if he so requests.

15. *Rates to be Filed.* Every person or corporation within this state, publishing a newspaper or other periodical or operating a radio or television station or network of such stations, shall determine and file with the secretary of state for public inspection a schedule or schedules showing the rates for commercial advertising and broadcasts as well as the rates for political advertising as limited in the preceding section. Any such schedule may be changed or amended by filing a new or amended schedule with the secretary of state, but such new or amended rates shall not be effective to determine maximum rates for political advertising under the preceding section until thirty days after filing.

16. *Preferential Treatment by Newspaper Publishers, and Radio and Television Broadcasters.* Any newspaper publisher, radio or television broadcaster and any person, agent or employee of the same, who shall publish or broad-

cast or cause to be published or broadcast, any material prepared by or on behalf of any candidate, party or committee which is designed or tends to aid, injure or defeat any candidate for public office, or a constitutional amendment, or any other question submitted to the voters, in a manner which, if the material were copyrighted, would constitute an infringement of copyright, without identifying the source of the material, shall be deemed guilty of a violation of section 23, provided, however, that nothing herein contained shall be construed to limit or prohibit news treatment of or editorial comment on such material if identified as to its source. Any such publisher or broadcaster who charges a lesser or greater rate for advertising to one candidate, party, or committee, for publication of similar matter, shall be deemed guilty of a violation of section 23.

17. *Duty of Committees.* Each committee shall have a treasurer, who shall be a citizen of this state, and who shall receive and pay out all money handled by the committee. For any failure to make any statement of receipts and expenditures of the committee as required by law the treasurer shall be liable. If there is no treasurer, or if he fails to make report, it shall be the duty of each member of said committee who receives or pays out any money on behalf of said committee to make said report or to cause the same to be made. Any member of such committee who makes or permits any unlawful expenditure or act of a committee, in whole or in part, or who consents thereto, or who aids, abets or conspires to make or perform the same, shall upon conviction, be deemed guilty of a violation of this chapter.

18. *Complaints.* Any person voted for at an election for any office, or any qualified voter, may make complaint in writing signed subject to penalties for perjury, to the attorney general of any violation of any of the provisions of this subdivision.

19. *Prosecution.* Upon the receipt of any such complaint, if it shall appear that the act complained of was a wilful violation of this chapter it shall be the duty of the attorney general to investigate the complaint, and, if probable cause for prosecution is found, to prosecute the violation to final judgment.

20. *Additional Counsel.* If the attorney general believes that his office will be hampered by any existing facts or circumstances, and in any wise prevented from vigorously prosecuting any respondent complained against for such violation, or that the service of other attorneys in any prosecution would be in the interest of the state, he shall have authority to employ and assign, without previous approval of the governor and council, some attorney not a county solicitor to conduct or assist in conducting such prosecution. Such other attorney shall be allowed reasonable compensation, to be approved by the governor and council and paid by the state, and charged against the appropriation of the office of attorney general.

21. *Notice to Candidates.* The secretary of state shall give or send by mail a copy of this chapter to each person who files a declaration of candidacy before any primary, or in behalf of whom primary petitions or a primary certificate shall be filed.

22. *Contributions by Corporations and Labor Organizations.* No corporation incorporated under the laws of this state, or of any state or territory of the United States, or of the District of Columbia, or of any other country, no newspaper publisher, radio or television broadcaster, and no labor organization, directly or indirectly, by itself, or through any officer, agent or employer, representative, or other person whatsoever, shall give, contribute, furnish, lend or promise any money, property, transportation, means or aid to any political party, or any candidate for public office or for nomination thereto, or to any political committee, or to any treasurer or political agent, as herein defined, either directly or indirectly, to aid, promote or influence the success or defeat of any political party or principle or any measure or proposition submitted to a vote at a public election or primary election in this state, or to aid, promote or influence in any manner the election or defeat of a candidate therein or to be used, applied or expended in any way whatever for political purposes. The president, the several directors and every other officer of any corporation or labor organization shall be liable to the penalties hereinafter provided for any violation of this section.

23. *Soliciting from Corporation or Labor Organization.* No person shall solicit or receive the payment of any sum of money or other article of value, for the purposes specified in

the preceding section, from any corporation, newspaper publisher, radio or television broadcaster or labor organization or from any officer, director, agent or employee of such corporation or labor organization in its behalf.

24. *Statement by Committees.* The state committee of every political party and every other political committee shall file before noon, on the Friday next preceding the primary election or the general election, as the case may be, with the secretary of state and also publish in two daily newspapers in this state, an itemized statement signed and sworn to by its chairman and treasurer, showing in detail all its receipts whensoever received, with the full names and residence addresses of the persons by whom they were contributed and the respective amounts thereof, and the full names and residence addresses of the persons, corporations or committees to whom they were paid with the specific nature and amount of each expenditure, if incurred during the calendar year in which the election is held, when such expenditure was made, unless previously reported. All expenditures, whether included or excluded from the limitations set forth in section 4 hereof, shall be so reported. Any personal services, supplies, franking privileges, printing or other aid supplied to any party, committee or candidate by public employees or agencies, local, state, or federal, shall be accounted for in such report, with itemization as to what services or supplies were so furnished and what cost was assigned to each item on a unit basis. Within fifteen days after said election, another itemized statement, signed and sworn to by the same officers, shall be likewise filed and published, covering in like manner all receipts and expenditures subsequent to the first statement. Where the amount does not exceed one hundred dollars, a statement to that effect, signed and sworn to by the chairman and treasurer, filed in like manner, shall be sufficient for the purposes of this section.

25. *Statement by Candidates.* Every candidate at the primary or general election for governor, United States senator or representative in Congress shall file and publish sworn statements, signed by the candidate and his financial agent, if any, in like manner of all his receipts and expenditures.

26. *Substitutes for Publication.* Instead of the publication provided by sections 24 and 25, a candidate may deliver to the secretary of state a copy of the statement of expendi-

tures, provided for by said sections, for each candidate opposing the candidate so filing, and a state committee may deliver to the secretary of state a copy of such statement for the state committee of each other political party, which copies shall be delivered by the secretary of state, upon request, to the candidates and committees for whom they are made.

27. *Other Candidates.* Every candidate at the primary or general election for councilor, state senator, county officer, or representative to the general court, who has expended a sum in excess of seventy-five dollars, shall, within fifteen days after said primary or general election, file with the secretary of state, and with the town or city clerk for the town or city in which he resides, a like itemized sworn statement of all his receipts and expenditures in aid of his nomination or election. All such statements shall be open to public inspection.

28. *Paid Agents.* Every person who shall perform any service as political agent for any candidate during any primary campaign, who is to receive compensation above traveling expenses, shall, before he enters upon the performance of his duties as political agent, register his intention so to do with the secretary of state upon blanks to be furnished by the secretary of state for that purpose. On the third day preceding the primary and also within fifteen days after the primary in which said agent shall be employed, he shall file with the secretary of state an itemized statement, signed and sworn to by himself, of all moneys or things of value received by him or due to him from any candidate or committee in connection with his service, and disclose in the pre-primary return the substantial provisions of all contracts he may have for the rendering of future service in the campaign. No contract for service as political agent in connection with any primary shall be made by any person within a period of ten days preceding said primary.

29. *Penalties.* Any persons, corporations, or committees who violate or aid and abet the violation of any of the provisions of sections 11, 12 and 13 hereof relating to political advertising, circulars or soliciting contributions, shall be fined not less than fifty nor more than five hundred dollars, or imprisoned not more than six months; for any of the provisions of sections 22 and 23 relating to contributions and soliciting of corporations, publishers, broadcasters, or labor organi-

zations, in the case of an individual not less than fifty nor more than one thousand dollars or imprisonment for not more than six months, in the case of a corporation or labor organization, not less than one thousand nor more than three thousand dollars; and any other provisions not hereinbefore specified, not less than one hundred dollars nor more than five hundred dollars and imprisonment for not less than thirty nor more than ninety days. Any person who alleges that any of the foregoing provisions of this chapter relating to the primary has been violated may, not later than the fifth day of October following said primary, bring a proceeding before the ballot law commission against the person alleged to have violated said provisions. To this proceeding the secretary of state shall be made a party defendant. The commission shall forthwith hear such proceeding and make final decision thereof, and if the commission shall find that the defendant has violated any of such provisions, an order shall be entered disqualifying the defendant from becoming a candidate at the ensuing election, and the vacancy thereby created shall be filled as provided by law. No candidate shall be entitled to the nomination or election until the sworn itemized statements required to be filed by him or in his behalf have been filed and published as hereinafter required.

30. *Supervision of Statements.* It shall be the duty of the attorney general to examine the returns of election expenses which are made to the secretary of state by candidates and committees, and to compel such returns to be made to comply with the law.

31. *Expenses.* Any expenses incurred by the secretary of state or the attorney general, in carrying out the provisions of this chapter shall be paid by the state and charged to the appropriation standing to the credit of each respective office.

32. *Constitutionality.* If any provision, section, or portion of any section of this chapter, shall be held invalid, the remainder of said sections shall not be affected thereby.

2. *Takes Effect.* This act shall take effect upon its passage.

Mr. Willey of Campton moved that further reading of the amendment be dispensed with, and that the House non-concur

in the Senate amendments, and asked for a Committee of Conference.

On a *viva voce* vote the motion prevailed.

The Speaker appointed as members of such committee on the part of the House, Messrs. Crosby of Hillsborough, Jones of Lebanon and Pickett of Keene.

House Bill No. 61, An act providing for the assessment and collection of a special poll tax for state purposes.

Amend section 1 of said bill by striking out the figures "1951 and 1952" and inserting in place thereof the figures, 1952 and 1953, so that said section as amended shall read as follows:

1. *Special Head Tax.* There is hereby levied and assessed in 1952 and 1953 for the use of the state a special head tax of five dollars upon each and every resident of the state, as defined herein, over twenty-one and under seventy years of age.

Amend section 2 of said bill by striking out the word "September" and inserting in place thereof the word, April, so that said section as amended shall read as follows:

2. *Resident Defined.* The word "resident" as used herein shall mean a person, whether a citizen or an alien, except paupers and insane persons, who has resided in this state for at least six months next preceding April first in the year in which the tax is assessed.

Amend section 3 of said bill by striking out said section and inserting in place thereof the following:

3. *Time of Payment.* Said head tax shall be assessed upon April 1, 1952 and April 1, 1953 and payable upon demand on or after each of these said dates.

Amend section 4 of said bill by striking out the words and figures "October first in 1951 and June 1, 1952" and inserting in place thereof the words and figures, June 1, 1952 and June 1, 1953, so that said section as amended shall read as follows:

4. *Collection.* The selectmen of towns and assessors of cities shall on or before June 1, 1952 and June 1, 1953, make a list of all head taxes by them assessed against residents of their respective towns and cities and commit the same together

with a warrant under their hands and seals to the collector of taxes for such town or city, directing said collector to collect such head taxes on or before December first next following and keep the same in a special account, and monthly, or oftener, pay the same over to the town or city treasurer as the same are collected.

Amend section 9 of said bill by striking out the same and inserting in place thereof the following:

9. *Payment to the State.* Each town and city shall cause its treasurer to pay over to the state treasurer in the months of October, January, April and July all special head taxes and penalties collected during the preceding three months, after first deducting two per cent of the amount collected to defray the extra expense incurred by the cities and towns, said deduction to be credited by the city and town treasurers to the general funds of the cities and towns wherein the tax collector is paid on a full time basis, and in towns where the tax collector is paid on a part time or commission basis, to the collector.

Amend section 14 of said bill by striking out the same and inserting in place thereof the following:

10. *Supplies, Bills and Postage.* The tax commission shall provide each city and town, without charge, printed tax bills, envelopes, postage, or postal cards, and other supplies, to be used in assessing the collecting such special head taxes and in keeping the necessary records relating thereto. It may reimburse any city or town in which it seems more practicable and advisable for it to obtain its own supplies, materials and postage, for the cost thereof provided that the purchase of such supplies, materials and postals by the city or town has been previously approved by the tax commission. The expenses incurred on reimbursements authorized, by the tax commission hereunder and for supplemental bonds required hereunder, shall be a charge against the funds collected by the state under the provisions hereof.

Mr. Turner of Keene moved that the House non-concur in the adoption of the Senate amendments and asked for a Committee of Conference.

On a *viva voce* vote the motion prevailed.

The Speaker appointed as members of such committee, on the part of the House, Messrs. Bass of Peterborough, Turner of Keene and Barry of Wilton.

Concurrent Resolution

Mr. Sanborn of Wakefield offered the following concurrent resolution:

Whereas, it appears that all necessary legislative work may be accomplished by Thursday, August 23, next, therefore be it

Resolved, by the House of Representatives, the Senate concurring:

That the present session of the legislature be brought to final adjournment on Thursday, August 23, next, at five o'clock in the afternoon.

Be it Further Resolved, That on that date all reports, bills and joint resolutions, with the exception of such as have been referred to the next legislature, be indefinitely postponed.

The question being on the resolution.

(Discussion ensued)

Mr. Sanborn of Wakefield spoke in favor of the resolution.

On a *viva voce* vote the concurrent resolution was adopted.

On motion of Mr. Sanborn of Wakefield the House recessed.

(After Recess)

Joint Convention

Pursuant to a concurrent resolution, adopted by both branches of the Legislature, the Senate met with the House in joint convention.

United States Senator Robert A. Taft of Ohio addressed the joint convention.

On motion of Senator Otis of District No. 15 the convention arose.

House

On motion of Mr. Wadleigh of Milford the rules were suspended and business in order at 3:00 o'clock was made in order at the present time.

On motion of Mrs. Richards of Exeter at 12:14 o'clock the House adjourned.

WEDNESDAY, AUGUST 22, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain:

Almighty God, Who art the Father of all men upon earth, most heartily and sincerely we pray that Thou wilt keep us, Thy children, ever aware of this world-wide fellowship. While we would not be disloyal, or even indifferent, to our own community, state or nation, help us, our Father, to deeply sense our wider obligation, and take advantage of our opportunity to reach out to the uttermost parts of the earth with understanding and sympathy. We especially ask Thee to deepen our realization that we are members of a Christian fellowship that transcends nations, races and classes. Quicken our loyalty to Thee that we may always choose Thy will as our will, Thy way as our way, and Thy peace as our peace. Through Jesus Christ, our Lord. Amen.

Captain Dennis Sanderson, D.S.C., R.N., Commander of the H.M.S. Snipe, addressed the House.

Leaves of Absence

Mr. Cummings of Peterborough was granted leave of absence for the day on account of important business.

Mr. Carter of Cornish was granted leave of absence for the remainder of the week on account of important business.

Engrossed Bills

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, to whom was referred House Bill No. 376, An act increasing salaries of deputy registers of probate, having considered the same, reported the same under Joint Rule No. 6, with the folowing amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by adding at the end thereof the words, and relative to soliciting contributions for election of candidates, so that said title as amended shall read as follows:

An act increasing salaries of deputy registers of probate and relative to soliciting contributions for election of candidates.

On motion of Mr. Pickett of Keene the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence.

Committee Reports

Mrs. Brungot of Berlin, for the Committee on Judiciary, to whom was referred Senate Bill No. 98, An act relating to weather control, having considered the same. reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The report was accepted.

Mr. Moore of Bradford moved that the words, ought to pass, be substituted for the report of the committee.

The question being on the motion to substitute the words, ought to pass.

(Discussion ensued)

Messrs. Moore of Bradford and Chase of Dover spoke in favor of the motion.

Messrs. Perkins of Concord, Wells of Newton and Mrs. Brungot of Berlin spoke against the motion.

On a *viva voce* vote the motion to substitute the words, ought to pass, did not prevail.

The question being on the resolution of the committee.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Wells of Newton, for the Committee on Judiciary, to whom was referred House Bill No. 201, An act to provide for an additional justice of the superior court, having considered the same, reported the same with the recommendation that the bill be referred to the 1953 Legislature.

The report was accepted and the recommendation of the committee adopted.

Mr. Turner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 441, An act relative to the computation of mileage allowances for legislative members from certain towns, having considered the same, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *General Court.* Amend paragraph 1 of section 1 of chapter 301 of the Laws of 1949 by striking out said paragraph and inserting in place thereof the following: 1. *Standard Mileage Table.* Effective beginning with the regular 1951 session of the general court, except as otherwise provided, the following mileage table shall be mileage allowed members of the general court from the various towns or city wards as set forth in said table. The distances are for one-way trips and shall be multiplied by two to obtain round-trip distances.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following: 2. *Changes in Mileage.* The following changes shall be made in chapter 301 of the Laws of 1949 with relation to mileage allowances:

I. Rockingham county,
New Castle ..... 51 miles
Rye ..... 56 miles

II. Strafford county,
Milton ..... 53 miles

III. Merrimack county,
Hooksett ..... 15 miles

IV. Cheshire county,
Keene, Ward 2 ..... 53 miles
Ward 4 ..... 54 miles
Ward 5 ..... 54 miles

V. Coos county,
Columbia ..... 153 miles

Amend section 3 of said bill by striking out section 3 and inserting in place thereof the following sections:

3. *Allowances.* Amend section 15 of chapter 9, Revised Laws, as amended by chapter 14, Laws of 1943 and section 1, chapter 117, Laws of 1949, by striking out the word "residence" in the second line and inserting in place thereof the words, town or city, so that said section as amended shall read as follows: 15. *Travel.* A member of the general court shall be allowed for mileage per mile of the round trip to and from his town or city ward each day of attendance at the following rates, for the first forty-five miles thereof ten cents per mile, for the next twenty-five miles eight cents per mile,

for the next twenty-five miles six cents per mile, and for all miles in excess of ninety-five miles five cents per mile. In case said round trip is less than one mile, the mileage allowance shall be computed on the basis of one mile. Each member of the House of Representatives shall present evidence of his attendance by signing in person the roll provided for that purpose and by complying with such other regulations with respect thereto as the House may from time to time adopt. Any member of the general court absent for any cause from such attendance shall not be allowed mileage for the day he is so absent.

4. *Committee on Mileage.* Amend section 16, chapter 9, Revised Laws, as amended by chapter 14, Laws of 1943 and section 2, chapter 117, Laws of 1949 by striking out said section and inserting in place thereof the following: 16. *Computation of Distance.* The distance traveled shall be computed by the nearest improved highway as set forth in chapter 301 of the Laws of 1949, or any subsequent table that may be adopted by the legislature. The committee on mileage shall be the arbiters to all disputes and claims involving payment of mileage to members.

5. *Change in Computation.* Amend section 17, chapter 9, Revised Laws, as amended by chapter 214, Laws of 1943, and by section 3, chapter 117, Laws of 1949, by striking out said section and inserting in place thereof the following: 17. *Employees.* Officers and employees of the Senate and House of Representatives shall be allowed mileage at the same rate as other state employees for each day of attendance up to a maximum of fifty miles for one way of travel.

6. *Takes Effect.* This act shall take effect as af January 3, 1951, except paragraph IV of section 2 and section 5 of this act shall be effective January 2, 1952.

The report was accepted.

Mr. Turner of Keene moved that the reading of the amendments be dispensed with.

The question being on the motion.

(Discussion ensued)

Mr. Turner of Keene spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

The question being on the amendments.

On a *viva voce* vote the amendment was adopted.

Mr. Pickett of Keene offered the following amendments:

Amend section 5 of the proposed amendment by striking out in lines 5 and 6 the words "at the same rate as other state employees for each day of attendance" and inserting in place thereof the words, in the same manner as members of the general court, so that said section as amended shall read as follows:

5. *Change in Computation.* Amend section 17, chapter 9, Revised Laws, as amended by chapter 214, Laws of 1943, and by section 3, chapter 117, Laws of 1949, by striking out said section and inserting in place thereof the following: 17. *Employees.* Officers and employees of the Senate and House of Representatives shall be allowed mileage in the same manner as members of the general court up to a maximum of fifty miles for one way of travel.

Amend section 6 of the proposed amendment by striking out the words and figure "and section 5" in the second line so that said section as amended shall read as follows: 6. *Takes Effect.* This act shall take effect as of January 3, 1951, except paragraph IV of section 2 of this act shall be effective January 2, 1952.

The question being on the amendments.

(Discussion ensued)

Mr. Pickett of Keene spoke in favor of the amendments.

Messrs. Sanborn of Wakefield, Turner of Keene and Mrs. Brungot of Berlin spoke against the amendments.

On a *viva voce* vote the amendments were not adopted, and and the bill was ordered to a third reading.

Mrs. Corliss of Manchester, for the Special Committee consisting of the members from the city of Manchester, to whom was referred Senate Bill No. 102, An act authorizing the board of mayor and aldermen of the city of Manchester to delegate its authority pertaining to regulation of highways, having considered the same, reported the same with the following resolution:

Resolved, That it is inexpedient to legislate.

The undersigned, a minority of the Special Committee consisting of the members from the city of Manchester, to whom was referred Senate Bill No. 102, An act authorizing

the board of mayor and aldermen of the city of Manchester to delegate its authority pertaining to regulation of highways, having considered the same, and being unable to agree with the majority, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 of the bill by striking out in the fifth line the word "may" and inserting in place thereof the word, shall, so that said section as amended shall read as follows:

2. Said traffic committee shall have authority to make all needful rules and regulations for the regulation and control of traffic in said city, not inconsistent with the laws of the state; provided, however, that the board of mayor and aldermen shall by ordinance provide that all said rules and regulations shall be first submitted to the board of mayor and aldermen for approval.

WILLIAM KENNEDY
JOSEPH H. GEISEL
LOUIS I. MARTEL
JOHN PILLSBURY
A Minority of the Committee

The report was accepted.

Mr. Kennedy of Manchester moved that the minority report be substituted for that of the majority.

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Kennedy, Geisel, Martel, Pillsbury, Sullivan and Healy of Manchester spoke in favor of the motion to substitute the minority report.

On a *viva voce* vote the motion to substitute the minority report for that of the majority prevailed.

The question being on the amendment.

(Discussion ensued)

Mr. Kennedy of Manchester spoke against the amendment.

On a *viva voce* vote the amendment was not adopted, and the bill was ordered to a third reading.

Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 61, An act providing for the assessment and collection of a special poll tax for state purposes, having considered the same, recommended that the Senate recede from its position in adopting its amendments, that the House recede from its postion of non-concurrence and that the Senate and the House adopt the following amendments to the bill.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *Resident Defined.* The word "resident" as used herein shall mean a person, whether a ctitzen or an alien, except paupers and insane persons, who has resided in this state for at least six months next preceding the date of each assessment of the head tax hereunder.

Amend section 3 of said bill by striking out the date "August 15" and inserting in place thereof the date, September 1, so that said section as amended shall read as follows:

3. *Time of Payment.* Said head tax shall be assessed upon September 1, in the year 1951 and April 1, 1952 and payable upon demand on or after each of said dates.

Further amend said bill by inserting after section 9 the following new section:

10. *Further Payment.* In view of the added cost to towns and cities in making up the original lists for assessment of tax hereunder the selectmen of towns and assessors of cities may certify to the tax commission the total number of names of persons liable to a head tax hereunder on the first warrant issued to their respective tax collector. The tax commission after examination of said certification shall certify to the state treasurer the number of names on each said first tax warrant issued and the state treasurer shall reimburse each town and city to the extent of two cents for each name on said warrant respectively to enable the town or city to meet the extra cost involved in making the original assessment. The reimbursements authorized by this section shall be a charge upon the funds collected by the state hereunder and shall be in addition to the deductions authorized under section 8.

Further amend said bill by renumbering sections 10 to 17, inclusive, to read sections 11 to 18, inclusive.

Amend section 16 of said bill as renumbered 17 by striking out the word and figures "and 14" and inserting in place thereof the word and figures, 10 and 15.

Amend section 14 of said bill, so renumbered section 15, by striking out the same and inserting in place thereof the following:

15. *Supplies, Bills and Postage.* The tax commission shall provide each city and town, without charge, printed tax bills, envelopes, postage, or postal cards, and other supplies, to be used in assessing and collecting such special head taxes and in keeping the necessary records relating thereto. It may reimburse any city or town in which it seems more practicable and advisable for it to obtain its own supplies, materials and postage, for the cost thereof provided that the purchase of such supplies, materials and postage by the city or town has been previously approved by the tax commission. The expenses incurred or reimbursements authorized by the tax commission hereunder and for supplemental bonds required hereunder, shall be a charge against the funds collected by the state under the provisions hereof.

PERKINS BASS,
GARDNER C. TURNER,
DANIEL J. BARRY,
Conferees on the part of House.

CHARLES H. WHITTIER,
NATHAN A. TIRRELL,
Conferees on the part of the Senate.

The question being on agreeing to the report.

(Discussion ensued)

Mr. Turner of Keene spoke in favor of agreeing to the report.

Mr. Lea of Manchester moved that the report of the Committee of Conference be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Messrs. Chandler of Warner, Bass of Peterborough, Kennedy of Manchester, Sanborn of Wakefield, and Turner of Keene spoke against the motion.

On a *viva voce* vote the motion to indefinitely postpone did not prevail.

The question being on agreeing to the Committee of Conference report.

On a *viva voce* vote the report was agreed to.

Reconsideration

Mr. Turner of Keene moved that the House reconsider its vote whereby it agreed to the Committee of Conference report, to House Bill No. 61.

On a *viva voce* vote the motion to reconsider did not prevail.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bills in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

Senate Bill No. 100, An act increasing penalties in certain criminal cases and relating to procedure in the supreme court.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act increasing penalties in certain criminal cases, relating to procedure in supreme court, the salary of justices of the municipal court in small towns and disposition of funds for fish and game violations.

On motion of Mr. Perkins of Concord the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:.

House Bill No. 398, An act establishing a Tri-State Authority to enable the collective construction and operation of institutions in Maine, New Hampshire and Vermont.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Commission Authorized.* There shall be an interim commission of five members to consist of two members of the House to be appointed by the Speaker of the House, one member of the Senate, to be appointed by the President of the Senate, and two members to be appointed by the Governor to make a thorough and impartial investigation of all matters pertaining to the establishment of a tri-state authority, so-called, or the setting up of reciprocal agreements in the fields sought to be covered by the said authority.

Mrs. Millar of Claremont moved that the House non-concur in the amendments sent down from the Honorable Senate and that a Committee of Conference be appointed.

On a *viva voce* vote the motion to non-concur prevailed.

The Speaker appointed as members of such committee on the part of the House, Mr. Pillsbury of Manchester, Mrs. Millar of Claremont and Mr. Ecker of Manchester.

The message further annuonced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 387, An act providing for non-partisan municipal elections in the city of Manchester.

Amend section 18 of the bill by striking out the whole of same and substituting in place thereof the following:

18. *Takes Effect.* This act shall take effect for the filing of candidates and the election of officers for the 1951 municipal election.

Mr. Kennedy of Manchester moved that the House concur in the amendments sent down from the Honorable Senate.

(Discussion ensued)

Messrs. Betley of Manchester and Pickett of Keene spoke against the motion.

Mr. Lea of Pembroke moved that the amendment be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Mr. Martel of Manchester spoke against the motion.

Mr. Lea of Pembroke withdrew his motion to indefinitely postpone.

The question being on the motion to concur.

(Discussion ensued)

Mr. Gagnon of Manchester spoke in favor of the motion.

(Mr. Perkins of Concord in Chair)

Mrs. Corliss of Manchester and Mr. Kennedy of Manchester spoke in favor of the motion.

Messrs. Chandler of Warner, Sullivan, Casey, Daniel and Kearns of Manchester, Payeur of Pembroke and Corbett of Concord spoke against the motion.

Mr. Betley of Manchester moved that the amendment be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Speaker in Chair)

Mr. Betley of Manchester and Mrs. Dondero of Portsmouth spoke in favor of the motion.

Mr. Ransom of Meredith moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

Mr. Donnelly of Manchester asked for a division.

A division being had, 35 members having voted in the affirmative and 189 members having voted in the negative, the motion to indefinitely postpone did not prevail.

The question being on the motion to concur.

(Discussion ensued)

Messrs. Pickett of Keene and Martel of Manchester spoke against the motion.

Mr. Turner of Keene moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to concur in the Senate amendments.

Mr. Pillsbury of Manchester asked for a division.

A division being had, 113 members having voted in the

affirmative, and 137 members having voted in the negative, the motion to concur did not prevail.

Mr. Kennedy of Manchester demanded the Yeas and Nays, and the roll was called with the following result:

Yeas, 127

HILLSBOROUGH COUNTY: Holmes, Wilson, French of Bedford, Reed, Crosby, Goodwin, Abbott, Corliss, Kennedy of Manchester, Pillsbury, Gagnon, Thibodeau, Falconer, Cooper, Ramsdell, Underhill, Record, Locke of New Boston, Ashley of New Ipswich, Bass, French of Weare.

CHESHIRE COUNTY: Jackson, Miller of Fitzwilliam, Maloney, Rathbun of Harrisville, Kirk, Landers, Wheeler, Codding, Turner, Kershaw, Ingham of Winchester.

SULLIVAN COUNTY: Frizzell, Brooks, Millar of Claremont, Perry.

GRAFTON COUNTY: Plumer, Clarke of Canaan, Grass, Fuller, Holden of Hanover, Chamberlin of Haverhill, Adams, Ashley of Lebanon, Cole, Collins, Kelley, Martin of Littleton, Pushee, Skinner, Howard, Bell, Huckins, Horner, Woodward, Gilbert, Sawyer of Woodstock.

COOS COUNTY: Brungot, Rines, Cummings of Colebrook, Gould, Emerson, Simonds, Means, Placy, Taylor.

ROCKINGHAM COUNTY: Tuttle, Griffin of Auburn, Wastcoat, Darbe, Lindahl, Freeman of East Kingston, Kendall, Richards, LeComte, Bonney, Hall, Wells, Carter of No. Hampton, McDaniel, Foote, Yeaton, Bluitte, Philbrick, Haigh.

STRAFFORD COUNTY: Swain, Fellows, Locke of Dover, Horne, Smith of New Durham, Studley, Green of Rollinsford.

BELKNAP COUNTY: Perkins of Alton, McAllister, Weeks, Hart of Laconia, Tilton of Laconia, Ward 3, Keller, Tilton of Laconia, Ward 4, O'Shan, Ransom, Smith of Meredith, Matthews, Atwood, Metcalf.

CARROLL COUNTY: Downs, Hill, Morey, Nickerson, Lamprey, Knox, Hodgdon, Sanborn.

MERRIMACK COUNTY: Ellsworth, Vogel, Marden, Tebbets, Kennedy of Concord, Hurd, Blodgett, Saltmarsh, Tilton

of Concord, Hadley, Towle, Chase of Franklin, Maxwell, Milligan, Wilman.

Nays, 159

HILLSBOROUGH COUNTY: Black, Farwell, Poore, Cummings of Lyndeborough, Danforth, Geisel, Connor, Martel, Sweeney, Fitzgerald, Kean, Nolan, Betley, Ellis, Healy of Manchester, Ward 5, Casey, Clancy, Ecker, Healy of Manchester, Ward 6, Marcoux, Sullivan of Manchester, Constant, Delisle, Kane, Cary, Getz, Kearns, Lareau, Soucy, Vaillancourt, Daniel, Gauthier, Donnelly, Wedick, Peaslee, Nelson, Wadleigh, Boire, Maynard of Nashua, Ward 3, Brosnahan, Cote, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Chartrain, Dupont, Ryan, Cormier, Grandmaison, Pelletier of Nashua, Ward 8, Bouthillier, Mailloux, Barry, Hines.

CHESHIRE COUNTY: Walker, Spofford, O'Neil of Keene, Bennett, Pickett, Sherwin, Worcester, Lang, Rhodes, Billings.

SULLIVAN COUNTY: Angus, Converse, Bissonett, Baron of Claremont, Bailey, Vaughan, Pierce, Gamsby, Callum.

GRAFTON COUNTY: Gingras, Williams, McMeekin, Jones, Randall, Gardner, Burrill, Barney, Anderson.

COOS COUNTY: Dussault, Shields, Desilets, Sheridan, Laforce, Roy of Berlin, Oakes, Fraser, Hilliard, Stinson.

ROCKINGHAM COUNTY: Libby, Clark of Derry, Hepworth, Fecteau, Eldredge, Rathbone of Exeter, Putnam, Thurlow, Eastman, McNeil, McCaffery, Sheehy, Labranche of Newmarket, Sewall, Colcord, Dondero, Smart, Ingraham of Portsmouth, Waterhouse.

STRAFFORD COUNTY: Chase of Dover, Stackpole, Marcotte of Dover, Shaheen, Felker, Carroll, Crandall, Flanagan, Caldwell, Rolfe, Dustin, Maxfield, Winters, Lacasse, St. Pierre, Leach, Letourneau, Cater, Malley.

BELKNAP COUNTY: Osborne, Simoneau, Thompson of Laconia.

CARROLL COUNTY: Benson, Remick.

MERRIMACK COUNTY: Putney, Moore, Dodge, Ferrin, Perkins of Concord, Corbett, O'Neil of Concord, Bunten,

Greene of Concord, Nawn, Sawyer of Concord, Sargent, Burke, Charland, Mason, Beale, DuDevoir, Lea, Payeur, Young, Chandler, Sawyer of Wilmot.

And the motion to concur did not prevail.

Mr. Martel of Manchester moved that the House non-concur in the amendments sent down from the Honorable Senate and that a Committee of Conference be appointed.

The question being on the motion to non-concur.

On a *viva voce* vote the motion to non-concur prevailed.

The Speaker appointed as members of such committee, on the part of the House, Messrs. Pillsbury of Manchester, Corliss of Manchester and Martel of Manchester.

The message further announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 455, An act relative to bond for and duties of the state treasurer.

The President appointed as members of such a committee, on the part of the Senate, Senators Brown and Whittier.

House Bill No. 160, An act relating to real estate brokers and salesmen.

The President appointed as members of such a committee, on the part of the Senate, Senators Graves and Caron.

House Bill No. 61, An act providing for the assessment and collection of a special tax for state purposes.

The President appointed as members of such a committee, on the part of the Senate, Senators Whittier and Tirrell.

House Bill No. 15, An act relative to the filing of campaign receipts and expenditures by political committees.

The President appointed as members of such a committee, on the part of the Senate, Senators Tarlson and Brown.

The message also announced that the Senate had voted to non-concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives.

House Bill No. 431, An act for the extension of skiing facilities on the Cannon Mt. Franconia Notch State Reservation.

On motion of Mr. Wadleigh of Milford the rules were suspended and business in order at 3:00 o'clock was made in order at the present time, and that third readings of bills be by their titles only.

Third Readings

House Bill No. 441, An act relative to the computation of mileage allowances for legislative members from certain towns.

Read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 102, An act authorizing the board of mayor and aldermen of the city of Manchester to delegate its authority pertaining to regulation of highways.

Read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Nickerson of Madison at 2:45 o'clock the House adjourned.

THURSDAY, AUGUST 23, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

Almighty God, give us the strength and courage to live another day. Help us to look upon and accept life's problems as a challenge to our better manhood and womanhood. When it would be easier to retreat from what we know to be right, help us to accept that right as a challenge to go forward; when it would be easier to leave undone the things we should do, help us to look upon the task as a challenge to action. Remind us always that moral and spiritual maturity, like physical maturity, is attained only as we conquer those forces that otherwise might conquer us. We ask it in the name of Him who conquered all things. Amen.

Leave of Absence

Mr. Spofford of Jaffrey was granted leave of absence for the day on account of important business.

Report of Committee of Conference

The Committee of Conference, to whom was referred Senate Bill No. 96, An act relating to public construction and contracts for the state of New Hampshire, having considered the same and being unable to agree, recommend that the committee be dismissed and that a new Committee of Conference be appointed.

WINIFRED G. WILD,
GEORGE W. TARLSON,
Conferees on the part of the Senate.

FREDERICK H. INGHAM,
JOHN P. H. CHANDLER, JR.,
Conferees on the part of the House.

The question being on agreeing to the report.

(Discussion ensued)

Mr. Martel of Manchester spoke against the question.

Messrs. Sanborn of Wakefield and Angus of Claremont spoke in favor of the question.

On a *viva voce* vote the report was agreed to.

Mr. Martel of Manchester asked for a division.

A division being had, the Speaker declared it to be manifestly in the affirmative, and the report was agreed to.

The Speaker appointed as members of such new Committee of Conference on Senate Bill No. 96, on the part of the House, Messrs. Falconer of Milford, Remick of Tamworth and Shaheen of Dover.

Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 160, An act relating to real estate brokers and salesmen, reported the same with the recommendation that the House recede from its position of non-concurrence, that the Senate recede from its position in the adoption of its amendment, and further recommended that the Senate and House adopt the following amendment:

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Real Estate Brokers and Salesmen.* Amend chapter

227 of the Laws of 1947 by striking out said chapter and inserting in place thereof the following:

1. *Definitions.* Certain terms used in this act shall be construed as follows unless a different meaning is clearly apparent from the language or context:

"Commission" means real estate commission as hereinafter provided.

"Real estate broker" means a person, firm, partnership, association or corporation who for a consideration lists for sale, sells, exchanges or offers for sale or exchange, buys or offers to buy or negotiates the purchase, exchange or sale of real estate, or rents or offers to rent real estate or improvements therein, as a whole or partial vocation.

"Real estate salesman" means a person employed by a real estate broker to list for sale, sell or offer for sale, to buy or offer to buy or to negotiate the purchase, sale or exchange of real estate for or in behalf of such real estate broker.

"Non-resident broker" means a real estate broker as herein defined who resides outside the state but deals in New Hampshire property.

"Non-resident salesman" means a real estate salesman as defined herein who resides outside the state but deals in New Hampshire property.

This chapter shall not be held to include an owner of real estate who sells or rents or offers to sell or rent his own property, nor to a trustee, guardian, bank or trust company, executor or administrator in the specific fulfillment of their duties as such, nor to any person selling or renting real estate under order from a court.

2. *Real Estate Commission.* There is hereby established a real estate commission to consist of five members to be appointed by the governor with the advice and consent of the council. Of the first appointments two members shall be appointed for a term of one year, two members shall be appointed for a term of two years and one member shall be appointed for a term of three years and thereafter the term of each member shall be for three years and until his successor is appointed and qualified. Vacancies shall be filled for the remainder of any term in the same manner. The governor shall designate the chairman.

3. *Qualifications; Expenses.* Members of the commission shall be real estate brokers of good repute in their respective communities who have been engaged as such for five or more years. They shall receive no compensation for their services, but shall be allowed their reasonable expenses while on business of the commission.

4. *License Required.* No person shall carry on business in this state as a real estate broker or salesman nor shall hold himself out as such broker or salesman nor advertise himself as such unless he shall have first obtained a license from the commission as provided in this chapter.

5. *Applications for License.* Applications for the licenses required by this chapter shall be made in writing to the commission, on such forms and in such manner and accompanied by such evidence in support of such application as shall be prescribed by the commission. In the case of resident brokers and salesmen, application for a license in the first instance shall be accompanied by the recommendations of two officers of banks or trust companies in the county in which such applicant resides certifying that the applicant bears a good reputation for honesty, competency, and fair dealing. In the case of non-resident brokers and salesmen, the application shall be accompanied by the recommendations of two officers of banks or trust companies, one of whom shall be a resident of New Hampshire and one of whom shall be a resident in the county in which the applicant resides. The application for a salesman's license shall be accompanied by a written statement of the employing broker stating that in his opinion the applicant is honest, competent and of good reputation. No license shall be issued to a person under twenty-one years of age.

6. *Issuing Licenses.* Upon being satisfied that the applicant is of good repute, reliable, suitable, and entitled to public confidence, the commission may issue a license to such applicant in the capacity requested in the application. Licenses shall be issued for the period of one year and shall expire one year after date of issue.

7. *Types of Licenses.* Two classes of lisenses may be issued, namely a broker's license and a salesman's license. In the case of a firm, partnership, association or corporation applying for license as a broker, the license shall be issued to the firm, partnership, association or corporation and each mem-

ber thereof actively engaged in selling real estate shall be listed thereon. Non-resident licenses shall be designated as such. In the event a salesman terminates his employment with one broker and becomes associated with another, a new license shall be required, but without additional fee for the balance of that license year. It shall be the duty of a broker to immediately notify the commission upon the termination of employment of a salesman in his employ.

8. *Fees.* The initial fee for a broker's license shall be fifteen dollars and the renewal of such license shall be ten dollars. The initial fee for a real estate salesman's license shall be ten dollars and the renewal of such license shall be five dollars. The initial fee for a broker's license to a first, partnership, association or corporation shall be fifteen dollars plus ten dollars for each named member over one, and the renewals of such license shall be ten dollars plus five dollars for each named member over one. Non-resident fees shall be reciprocal to those charged in such other states, but not less than fees charged residents. Payment of the fees shall accompany the application.

9. *Non-residents; Service and Process.* Every non-resident applicant shall file a stipulation appointing the Secretary of State and his successor in office as his true and lawful attorney upon whom may be served all lawful process in any action or proceeding against him, and the authority given in such appointment shall continue in force so long as any liability to any resident of this state remains unsatisfied. Service of such process shall be accompanied by a fee of two dollars, and such service shall be sufficient, provided that notice thereof and a copy of the process are forthwith sent by registered mail by the plaintiff or his attorney to the defendant.

10. *Certificate and Card.* The commission shall prepare and issue to each licensee a certificate showing that a license has been granted and a pocket card. The certificate shall be conspicuously displayed within the licensee's place of business.

11. *Powers.* Full power to control the issuance, revocation and suspension of licenses under the provisions of this chapter shall be vested in the commission. They shall have power to make reasonable rules and regulations to carry out the provisions of this chapter. They may from time to time

publish and distribute a list of the names and addresses of all currently licensed brokers and salesmen.

12. *Revocation or Suspension.* After hearing and for cause shown the commission may revoke the license of any real estate broker or salesman or suspend the same for such period as they may deem proper. Cause shall be based upon a finding that such licensee has been guilty of dishonest, deceitful, or fraudulent conduct in connection with his business as such broker or salesman, or upon the finding that such licensee is an unsuitable person or not entitled to public confidence.

13. *Hearings.* The commission before denying, revoking or suspending a license, shall hold a hearing and give the applicant or licensee at least ten days' notice prior to the date of hearing of any charges made and shall afford such applicant or licensee an opportunity to be heard in person or by counsel in reference thereto. The hearings on such charges shall be at such time and place as the commission shall prescribe. The commission shall have the power to subpoena and bring before them any person in this state or to take testimony by deposition, in the same manner as is prescribed by law in judicial proceedings. They shall keep a complete stenographic record of their proceedings in such cases. Sheriffs and witnesses shall receive the same fees for the services of process and attendance before the commission as are paid sheriffs and witnesses in matters before the superior court.

14. *Decisions.* The determinations of the commission shall be in writing and officially signed. The original of such determinations, when so signed, shall be filed in the office of the commission and copies thereof shall be mailed to the broker or salesman, addressed to his place of business and to the complainant, if any, within two days after the filing thereof.

15. *Appeal.* The action of the commission in refusing, revoking or suspending, or refusing to revoke or suspend, a license shall be subject to review by appeal to the superior court at the instance of the applicant or licensee, or the complainant, if any, within sixty days after the filing of the commission's decision, in the county in which the applicant or licensee resides or has his principal place of business.

16. *Funds.* All funds received by the commission hereunder shall be paid to the state treasurer. The state treas-

urer shall keep the same in a separate account to be known as the real estate commission fund. All moneys in the fund are hereby annually appropriated for the purpose of this chapter. Expenditures for the purposes of this chapter shall not exceed the amount of fees collected hereunder.

17. *Clerical Work.* The commission is authorized to employ such assistants, clerks or stenographers as may be necessary for the purposes hereof.

18. *Reports.* The commission shall make a biennial report to the governor on or before the first day of December in each even year, including therein an account of their actions, receipts derived and expenses incurred under the provisions of this chapter.

19. *Penalty.* Any person violating any of the provisions of this chapter shall be fined not more thon one hundred dollars and his license may be suspended or revoked as the commission may deem proper.

20. *Takes Effect.* This act shall take effect October 1, 1951.

ROBERT P. TILTON,
ELIZABETH E. KENDALL,
PAUL H. DANIEL,
Conferees on the part of the House.

MARYE WALSH CARON,
MARGERY W. GRAVES,
Conferees on the part of the Senats

Mr. Tilton of Ward 4, Laconia, moved that reading of the report be dispensed with.

The question being on the motion.

(Discussion ensued)

Mr. Tilton of Laconia spoke in favor of the motion.

Mr. Chandler of Warner moved that the Committee of Conference report on House Bill No. 160, be indefinitely postponed.

The question being on the motion to indefinitely postpone.

Messrs. Chandler of Warner, Maxwell of Henniker, and Nelson of Milford spoke in favor of the motion.

Mrs. Kendall of Exeter, Messrs. Lamprey of Moultonborough, Pickett of Keene, Tilton, Ward 4, Laconia, Daniel of Manchester and Sanborn of Wakefield spoke against the motion.

Mr. Black of Bennington moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the motion to indefinitely postpone did not prevail.

The question being on the motion to dispense with reading of the report.

On a *viva voce* vote the motion prevailed.

The question being on agreeing to the report of the Committee of Conference.

(Discussion ensued)

Mr. Daniel of Manchester spoke in favor of the question.

Mr. Lamprey of Moultonborough spoke against the question.

On a *viva voce* vote the report was not agreed to.

Mrs. Kendall of Exeter asked for a division.

A division being had, 118 members having voted in the affirmative, and 120 members having voted in the negative, and less than two thirds of the total number of elected members being present, and less than two thirds of those present and voting having voted in the affirmative, the motion to agree to the Committee of Conference report did not prevail.

Mrs. Kendall of Exeter demanded the Yeas and Nays, but subsequently withdrew her demand.

Mr. Tilton of Ward 4, Laconia, demanded the Yeas and Nays, but subsequently withdrew his demand.

Mr. Tilton of Ward 4, Laconia, moved the the Committee of Conference report be laid upon the table and made a special order for Tuesday, August 28 at 11:01 o'clock.

The question being on the motion.

(Discussion ensued)

Mr. Lamprey of Moultonborough spoke in favor of the motion.

Mr. Chandler of Warner spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Black of Bennington asked for a division.

A division being had, 82 members having voted in the affirmative, and 165 members having voted in negative, and less than two thirds of the elected members being present, and less than two thirds of the those present and voting having voted in the affirmative, the motion did not prevail.

Mr. Chandler of Warner moved that the House disagreed with the Committee of Conference report and asked for a new Committee of Conference.

Mr. Daniel of Manchester moved that the House adjourn from the morning session.

On a *viva voce* vote the motion to adjourn did not prevail.

Mr. Wedick of Manchester moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to disagree with the Committee of Conference report.

Mr. Daniel of Manchester asked for a division.

A division being had, 156 members having voted in the affirmative and 80 members having voted in the negative, and less than two thirds of the elected members being present and less than two thirds of those present and voting having voted in the affirmative, the motion to disagree did not prevail.

Mr. Lamprey of Moultonborough asked for a second division on the same question.

A division being had, 155 members having voted in the affirmative and 81 members having voted in the negative, and less than two-thirds of the elected members being prasent and less than two-thirds of those present and voting, having voted in the affirmative the motion to disagree with the Committee of Conference report did not prevail and the report went into unfinished business.

Committee of Conference

The Committee of Conference, to whom was referred House Bill No. 398, An act establishing a Tri-State Authority

to enable the collective construction and operation of institutions in Maine, New Hampshire and Vermont, having considered the same, recommended that the House recede from its position of non-concurrence in the amendment adopted by the Senate, that the Senate recede from the adoption of its amendment and further recommended that the Senate and House adopt the following amendment to the bill:

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Commission Authorized.* There shall be an interim commission of six members constituted as follows, to make a thorough and impartial investigation of all matters pertaining to the establishment of a tri-state authority, so-called, or the setting up of reciprocal agreements in the fields sought to be covered by the said authority. The said interim commission shall consist of the attorney general, *ex-officio,* and five appointive members as follows: two members of the House to be appointed by the Speaker of the House, one member of the Senate, to be appointed by the President of the Senate, and two members to be appointed by the Governor, of which latter appointments one shall be from the membership of the House and one shall be from the membership of the Senate.

JOHN PILLSBURY,
JOSEPH F. ECKER,
JULIA MILLAR,
Conferees on the part of the House.

LENA A. READ,
THORNTON N. WEEKS,
Conferees on the part of the Senate.

The question being on agreeing to the report of the Committee of Conference.

On a *viva voce* vote the report was agreed to.

Senate Message

A message sent down from the Senate, by its Clerk, announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 308, An act relative to investments by towns and cities, cemetery corporations, state institutions and the United Baptist Convention of New Hampshire.

Amend section 5 of said bill by striking out the first sentence and inserting in place thereof the following:

The United Baptist Convention of New Hampshire, a corporation organized under an act of the Legislature approved June 24, 1826, as amended by chapter 277, Laws of 1917, is authorized, through its trustees, to merge any and all funds received or held by it into a consolidated investment fund.

On motion of Mr. Wadleigh of Milford the House concurred in the amendment of the Committee on Engrossed Bills sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 75, An act relative to the effective date for collection of fees for inspections of weight and measures.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relative to the effective date for collection of fees for inspections of weights and measures.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Weights and Measures.* Amend section 7 of chapter 199, Laws of 1951, by striking out the word "July" and inserting in place thereof the word, October, so that said section as amended shall read as follows: 7. *Takes Effect.* This act shall take effect as of October 1, 1951.

2. *Takes Effect.* This act shall take effect upon its passage.

Mr. McMeekin of Haverhill moved that the House nonconcur in the amendment sent down from the Honorable Senate, and that a Committee of Conference be appointed.

On a *viva voce* vote the motion prevailed.

The Speaker appointed as members of such committee on the part of the House, Messrs. Kelley of Littleton, McMeekin of Haverhill and Malley of Somersworth.

House Bill No. 306, An act relative to filling vacancies on party tickets after primary elections and relative to corporations.

Amend section 1 of said bill by striking out said section and inserting in place thereof the following:

1. *Vacancies, How and When Filled.* Amend section 52, chapter 33, of the Revised Laws as amended by section 3, chapter 159, Laws of 1947 by striking out said section and inserting in place thereof the following: 52. *Vacancies.* Vacancies upon any party ticket in county, town or ward occurring after the holding of any primary shall be filled by the party committee for the county, town or word in which the vacancy exists. All other vacancies upon any party ticket so occurring shall be filled by the state committee of the party or if previously authorized by the state committee, by the executive committee thereof. The name of any person so appointed shall be placed upon the official ballot provided notice of the appointment is seasonably filed with the secretary of state, except that notices of appointment where no candidate has filed and where the person whose name has been written in withdraws or refuses to accept the nomination or where the sole candidate filing for nomination shall be disqualified for any reason shall be filed with the secretary of state for forty days prior to the day of election for all candidates for any office. The number of days herein given shall include Sundays and shall end on the day before election at six o'clock in the afternoon.

Amend section 2 of said bill by striking out said section and inserting in place thereof the following:

2. *Corporations.* Amend section 3 of chapter 274 of the Revised Laws by striking out the word "or" after the word "incorporated" in the second line and inserting in place thereof the word, and, so that said section as amended shall read as follows: 3. *Name.* The corporate name must end with the abbreviation "Inc." or must include the word "corporation" or "incorporated" and may include the word "company" or the abbreviation "Co." if that word or abbreviation

is not immediately preceded by the word "and" or the abbreviation "&." The provisions of this section shall not affect the right of any corporation existing on April 3, 1931, to continue the use of its name. Subject to the above limitation any corporate name may be assumed which is not in use by any other New Hampshire corporation or any foreign corporation admitted to do business in this state, and which is not so similar thereto or to that of any partnership or association carrying on business in this state, as to be liable to be mistaken for it; provided that such name or similar name may be adopted with the consent in writing of such existing corporation, partnership, or association filed with the articles of agreement.

On motion of Mr. Perkins of Concord the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 451, An act relating to the election of representatives to the general court.

Amend section 3 of the bill by striking out line 96 and inserting in place thereof the following new line 96: Easton 1952.

Further amend section 3 of the bill by striking out line 97 and inserting in place thereof the following new line 97: Eaton 1952.

Further amend section 3 of the bill by striking out line 107 and inserting in place thereof the following new line 107: Millsfield 1954.

Further amend section 3 of the bill by striking out line 103.

Further amend the bill by adding after section 3 the following new section 4: *Dissolution of Towns.* The town of Livermore is hereby dissolved as a body corporate and politic. The governor and council are authorized and directed to take appropriate action to properly preserve the town records of the town of Livermore, to make such disposition of town property as is proper, and to take such further action as may be necessary to complete the dissolution of the town of Livermore.

Further amend the bill by renumbering sections 4 and 5 to be sections 5 and 6.

On motion of Mr. Holden of Hanover the House voted to non-concur in the adoption of the amendments sent down from the Honorable Senate, and that a Committee of Conference be appointed.

The speaker appointed as members of such committee on the part of the House, Mr. Holden of Hanover, Mrs. Morey of Hart's Location and Mr. Sawyer of Concord.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 376, An act increasing salaries of deputy registers of probate and relative to soliciting contributions for election of candidates.

The message further announced that the Senate had voted to adopt the report of the Committee of Conference on Senate Bill No. 96, An act relating to public construction and contracts for state of New Hampshire, and the president appointed as the new members of such committee on the part of the Senate, Senators Whittier and Blake.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 264, An act relative to operation of motor vehicles in a grossly careless or grossly negligent manner, suspension of licenses in such cases, and military service credits.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 8, An act relative to lobster meat processed outside the jurisdiction of this state.

Senate Bill Read and Referred

Senate Bill No. 8, An act relative to lobster meat processed outside the jurisdiction of this state.

Read a first and second time and referred to the Committee on Fisheries and Game.

Order Vacated

Mr. Nicoll of Bow moved that the rules be susepended, the order whereby Senate Bill No. 8 was referred to the Committee on Fisheries and Game be vacated and the bill be put upon third reading and final passage, by title only, at the present time.

The question being on the motion.

(Discussion ensued)

Messrs. Nicoll of Bow, Pickett of Keene, Sanborn of Wakefield and Mrs. Dondero of Portsmouth spoke in favor of the motion.

The bill was read a third time and passed and sent to the Secretary of State to be engrossed.

Resolution

Mr. Brown of Laconia offered the following resolution:

Whereas, during the discussion of various measures dealing with the sale and consumption of liquors in eating places other than hotels and clubs references have been made which have reflected or which seemed to reflect on some of the state's most reputable establishments:

Be it Resolved, That no such reflection is intended by this House either upon the restaurant association or on this important branch of the resort industry.

The question being on the resolution.

(Discussion ensued)

Messrs. Brown of Laconia and Foote of Portsmouth spoke in favor of the resolution.

On a *viva voce* vote the resolution was adopted.

Vote Recorded

Mr. Dwyer of Manchester stated he was absent when the roll was called on Senate amendment to House Bill No. 387 and wished to be recorded as voting No on the question.

On motion of Mr. Wadleigh of Milford the rules were suspended and business in order at 3:00 o'clock was made in order at the present time, and when the House adjourns today it be to meet Tuesday, August 28, at 11:00 o'clock.

On motion of Mrs. Griffin of Auburn at 1:05 o'clock the House adjourned.

TUESDAY, AUGUST 28, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God our Father, before turning to the duties of the day, we pause to ask Thy guidance. Help us, we bessech Thee, to depend less on our manipulations and more on the guidance of Thy Spirit; less on what would be pleasing to us and more on what would please Thee. Teach us to wait on Thee for strength and guidance. Take from us all pride, and the exaltation of partisan politics when it rises above the welfare of the state and the furtherance of good government. Help us to always remember that our high calling at this time is to see that Thy will is done in the making of laws for the future good of our commonwealth. Through Jesus Christ, our Lord. Amen.

Leaves of Absence

Mr. Spofford of Jaffrey was granted leave of absence for Tuesday and Wednesday on account of important business.

Mrs. Studley of Rochester was granted leave of absence for the week on account of illness in the family.

Messrs. Chase of Dover, Milligan of Newbury, Mailloux of Pelham and Avery of Ellsworth were granted leave of absence for the week on account of important business.

Engrossed Bills

Mrs. Landers of Keene, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

Senate Bill No. 100, An act increasing penalties in cer-

tain criminal cases, relating to procedure in supreme court, the salary of justices of the municipal court in small towns and disposition of funds for fish and game violations.

Senate Bill No. 102, An act authorizing the board of mayor and aldermen of the city of Manchester to delegate its authority pertaining to regulation of highways.

House Bill No. 138, An act relating to the University of New Hampshire.

House Bill No. 191, An act relating to one day's rest in seven.

House Bill No. 264, An act relative to operation of motor vehicles in a grossly careless or grossly negligent manner, suspension of licenses in such cases, and military service credits.

House Bill No. 306, An act relative to filling vacancies on party tickets after primary elections and relative to corporations.

House Bill No. 308, An act relating to investment of trust funds by towns and cities, cemetery corporations, state institutions and the United Baptist Convention of New Hampshire.

The report was accepted.

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, to whom was referred House Bill No. 199, An act relative to the salaries of the Grafton county commissioners.

Having considered the same, reported the same under Joint Rule No. 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first twelve lines and inserting in place thereof the following:

1. *Grafton County.* Amend section 27 of chapter 47 of the Revised Laws, as amended by chapters 119, 150, 195 and 202 of the Laws of 1943, by chapters 66 and 163 of the Laws of 1945, by chapters 202 and 284 of the Laws of 1947, by chapters 73 and 162 of the Laws of 1949 and chapter 149, Laws of 1951 by striking out in the eleventh line the words "ten hundred" and inserting in place thereof the words, twelve hundred so that said section as amended shall read as follows:

27. *Commissioners.* The annual salary of each com-

missioner of the following counties shall be as follows, payable monthly by the county:

In Rockingham, eighteen hundred dollars.
In Strafford, twelve hundred dollars.

On motion of Mr. Willey of Campton the House voted to adopt the amendments offered by the Committee on Engrossed Bills.

The bill was sent to the Senate for concurrence.

Committee Reports

Mr. Kelley of Littleton, for the Committee on Appropriations, to whom was referred House Bill No. 388, An act relative to activities of the forestry and recreation commission in connection with transfer of functions thereto by the reorganization act, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend said bill by striking out all after section 6 and inserting in place thereof the following:

7. *Payment of Bonds and Notes.* Payment of the bonds and notes authorized hereunder shall be a charge upon the state recreational fund established hereinafter.

8. *Establishment of Fund.* Amend chapter 234 of the Revised Laws by inserting after section 19 the following new section: 19-a. *State Recreational Fund.* All revenue derived from fees for services and accommodations on, and rentals from state forests or reservations, historic sites and other areas under the jurisdiction of the forestry and recreation commissions and specifically designated as recreational areas, and from federal lands placed under the jurisdiction of the forestry and recreation commission, as recreational areas, including all fares, tolls and charges from the operation of the Cannon Mountain Aerial Tramway and Mt. Sunapee State Park, shall, except as otherwise provided, be paid into the state treasury to be kept by the state treasurer in a separate account as a continuous fund to be known as the state recreational fund from which payments shall be made by the commission, for the following purposes: I. Operating expenses, and upkeep and services of the Cannon mountain tramway. II. Payment of any bonded indebtedness necessitated by the

creation of the reimbursement fund established by section 12, chapter 79-A of the Revised Laws, as amended. The amount set aside for this purpose shall not be more than $25,000 annually. III. Payment of any bonded indebtedness necessitated by the issuance of bonds or notes under the provisions of chapter 274 of the Laws of 1947. IV. Operating expenses and upkeep of Mt. Sunapee state park facilities. V. Payment of any bonded indebtedness created by chapter 190, Laws of 1941, as amended by chapter 153, Laws of 1945. VI. Payment of any bonded indebtedness occasioned by the issuance of bonds or notes under authority of section 4 of an act passed at the 1951 session of the legislature to provide for the development and extension of state recreational facilities. VII. The balance of said fund shall be available for expenses pertaining to design, development, administration, operation and maintenance of any recreational areas or facilities. At the close of each fiscal year the unexpended balance of moneys in the state recreational fund shall not lapse but shall be carried forward and be made available for use in subsequent years for said purposes.

9. *Aerial Tramway.* Amend section 6 of chapter 239 of the Revised Laws by striking out said section and inserting in place thereof the following: 6. *Revenue.* There shall be collected for carriage upon the tramway and for other services made available therewith such fares, tolls and charges as the forestry and recreational commission shall deem reasonable. The funds so collected shall be covered into the state recreational fund.

10. *Disposition of Funds.* Amend section 6-a of chapter 239 of the Revised Laws, as inserted by section 7, chapter 274, Laws of 1947, by striking out said section and inserting in place thereof the following: 6-a. *Bonds for Recreational Activities.* From the funds in the state recreational fund there shall be expended such sums as may be necessary for the payment of any maturing principal payments upon the bonds or notes issued under the provisions of chapter 274, Laws of 1947.

11. *Transfer of Funds.* Any funds heretofore set aside from the receipts from operation of the Cannon mauntain tramway as provided in section 6-a, chapter 274, Laws of 1947, prior to the above amendment shall be transferred to the state

recreational fund. Any unexpended funds heretofore in the so-called forest improvement and recreational fund, derived from income from facilities from state recreational areas shall be transferred to the state recreational fund.

12. *Mt. Sunapee Recreational Project.* Amend section 9 of chapter 190 of the Laws of 1941, as amended by section 4, chapter 153, Laws of 1945, by striking out said section and inserting in place thereof the following: 9. *Revenue.* There shall be collected for carriage upon the structure constructed hereunder, and for other services made available therewith, such fares and tolls and charges as the forestry and recreation commission shall deem reasonable. Such sums so collected shall be deposited in the state recreational fund.

13. *Repeal.* Section 14 of chapter 239 of the Revised Laws relative to use of revenue from Mt. Sunapee recreational facilities is hereby repealed.

14. *Disposition of Funds.* Amend section 14 of chapter 234 of the Revised Laws, as amended by section 10, chapter 184, Laws of 1945, and section 3, chapter 295, Laws of 1949, by striking out said section and inserting in place thereof the following: 14. *Forest Improvement Fund.* All revenue derived from rentals and sale of forest products from lands under the jurisdiction of the forestry and recreation commission and designed by said commission for forestry management, and improvement, and from such federal lands placed under the jurisdiction of said commission, and revenue from sale of state forest lands shall be paid into the state treasury. All of such revenue, except that received from the sale of nursery stock from the state forest nursery, shall be kept by the state treasurer in a separate account as a continuous fund to be known as the forest improvement fund from which payments shall be made by the commission for the following purposes: I. Expenses of forest management and silvicultural operations. II. For the purchase and improvement of areas suitable for state forests and buildings thereon. III. For expenses pertaining to development, administration, operation and maintenance of forest areas or facilities, and for the administration and improvement of such federal lands as may be placed under the jurisdiction of said commission for forest purposes.

At the close of each fiscal year the unexpended balance of

moneys in the forest improvement fund shall not lapse but shall be carried forward and be made available for use in subsequent years for said purposes.

15. *Transfer.* Any unexpended funds heretofore in the so-called forest improvement and recreational fund derived from income from the operation of forest practices on state forests shall be transferred to the forest improvement fund hereby established.

16. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted.

On motion of Mr. Sanborn of Wakefield further reading of the amendment was dispensed with.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Ferguson of Pittsfield offered the following amendment:

Amend the bill by striking out sections 1 to 6 inclusive; further amend by renumbering sections 7 to 15 inclusive in their numerical requence.

The question being on the amendment.

(Discussion ensued)

Mr. Ferguson of Pittsfield spoke in favor of the amendment.

Mr. Sanborn of Wakefield spoke against the amendment.

Mr. O'Shan of Laconia moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Mr. O'Shan of Laconia spoke in favor of the motion.

Messrs. Pillsbury of Manchester, Barry of Wilton, Rathbun of Harrisville, Baron of Claremont and Grass of Franconia spoke against the motion.

On a *viva voce* vote the motion to indefinitely postpone did not prevail.

Question being on the amendment.

(Discussion ensued)

Mr. Lea of Pembroke spoke in favor of the amendment.

Mesdames Greene of Concord and Goodwin of Hollis spoke against the amendment.

Mr. Hart of Wolfeboro moved the previous qoestion.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment offered by the member from Pittsfield.

On a *viva voce* vote the amendment was not adopted and the bill ordered to a third reading.

On motion of Mr. Sanborn of Wakefield the rules were suspended to allow the third reading and final passage, by title only, at the present time of House Bill No. 388.

The bill was read a third time and passed and sent to the Senate for concurrence.

Reconsideration

Mr. Sanborn of Wakefield moved that the House reconsider its vote whereby it passed House Bill No. 388.

On a *viva voce* vote the motion to reconsider did not prevail.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 446, An act making appropriation for the expenses of the state of New Hampshire for the year ending June 30, 1952.

Amend section 1 of said bill as follows:

Amend the paragraph for national guard under the appropriation for adjutant general's department by striking out the same and inserting in place thereof the following:

National guard:

Personal services	$16,880.00
Current expenses	17,050.00
Travel	1,500.00
Equipment	200.00
Total	$35,630.00

Amend the footnote at the end of the appropriation for recreation division of forestry and recreation by striking out the words "and such sums shall not lapse."

Amend the appropriation for the department of agriculture, office of commissioner, by striking out the figures "23,710.00" for personal services, and inserting in place thereof the figures, 26,290.00

Further amend the appropriation for the department of agriculture, office of commissioner, by striking out the figures for the total "51,748.75" and inserting in place thereof the figures 54,328.75.

Further amend the appropriation for the department of agriculture by striking out the figures "188,097.50" for "total for department of agriculture" and inserting in place thereof the figures 190,677.50.

Amend the paragraph relative to public welfare as follows:

Strike out the figures "99,590.00*" under administration and insert the figures 88,761.00*; strike out the total for administration and insert the figures 163,253.00; under field services, strike out the figures for personal services and insert the figures 259,659.00; and strike out the total for field services and insert the figures 332,647.50; strike out the entire paragraph for aid to totally and permanently disabled; and amend total for public welfare by striking out the figures "3,738,943.24" and inserting the figures 3,647,812.74 and strike out total for net appropriation "3,263,411.40" and insert 3,172,280.90.

Further amend the paragraph relative to public welfare by inserting at the end the following:

Note: The provisions of an act passed at the 1951 session relative to aid to totally and permanently disabled persons, being chapter 90, Laws of 1951, are hereby suspended until June 30, 1953.

Amend the paragraph for the motor vehicle department as follows:

Under administration strike out the figures for other personal services and insert in place thereof the figures 113,329.50, strike out the total for administration and insert

in place the figures 272,039.50, under highway safety strike out figures for personal services "5,280.00" and insert 7,080.00, for travel strike out "2,500 00" and insert 3,500.00; strike out total "10,980.00 and insert 13,780.00; strike out the total for motor vehicle department and insert in place thereof the figures 402,979.50, strike out the figures for "less estimated revenue" and insert in place thereof the figures 402,979.50.

Amend the appropriation for the state treasury by striking out the entire paragraph and inserting in place thereof the following:

For state treasury:		
Office of treasurer:		
Salary of treasurer	$5,500.00	
Salary of deputy	3,600.00	
Other personal services	40,286.65	
Current expenses	10,050.00	
Travel	200.00	
Equipment	6,905.00	
Other expenditures:		
Microfilming checks	2,600.00	
Printing reports	2,500.00	
Total		$71,641.65
Highway division:		
Personal services	$9,406.65	
Current expenses	5,150.00	
Equipment	900.00	
Total	$15,456.65	
Less transfer from highway fund	15,456.65	
Net appropriation		0.00
Bounties		12,000.00
Trust funds		37,087.27
Total for state treasury		$120,728.92

Amend the paragraph "Administration: federal" for the department of health by striking out the same and inserting in place thereof the following:

Administration: federal		
Personal services:		
General health	$6,270.00	
Maternal and child health	6,630.00	
Total		$12,900.00
Current expenses:		
General health	$1,000.00	
Maternal and child health	1,800.00	
Crippled children's services	1,000.00	
Total		3,800.00
Travel:		
General health	$1,450.00	
Maternal and child health	2,430.00	
Total		3,880.00
Total for administration: federal		20,580.00
Less estimated revenue*		20,580.00
Net appropriation		0.00

Amend the paragraph "General health: federal" for the department of health by striking out the same and inserting in place thereof the following:

Finance: federal		
Personal services:		
General health	$2,660.00	
Maternal and child health	2,000.00	
Total		$4,660.00
Current expenses:		
General health	$540.00	
Maternal and child health	1,550.00	
Total		2,090.00
Travel:		
General health	$150.00	
Maternal and child health	150.00	
Total		300.00

Total for finance: federal	$7,050.00
*Less estimated revenue	7,050.00
Net appropriation	0.00

Amend the paragraph "Hospital services: federal" for the department of health, by striking out the same and inserting in place thereof the following:

Hospital services: federal		
Personal services:		
Maternal and child health		$2,000.00
Current expenses:		
Hospital survey and planning		100.00
Travel:		
Hospital survey and planning	$844.82	
Maternal and child health	55.18	
Total		900.00
Total for hospital services: federal		$3,000.00
*Less estimated revenue		3,000.00
Net appropriation		0.00

Amend the paragraph "Vital statistics: federal" for the department of health by striking out the same and inserting in place thereof the following:

Vital statistics: federal		
Personal services:		
General health	$500.00	
Heart disease control	500.00	
Maternal and child health	5,340.00	
Total		$6,340.00
Current expenses:		
General health	$1,500.00	
Heart disease control	1,250.00	
Maternal and child health	3,500.00	
Total		6,250.00

Travel:		
General health	$200.00	
Maternal and child health	950.00	
Total		1,150.00
Total for vital statistics: federal		$13,740.00
*Less estimated revenue		13,740.00
Net appropriation		0.00

Amend the paragraph "public health nursing: federal" for the department of health by striking out the same and inserting in place thereof the following:

Public health nursing: federal		
Personal services:		
General health	$7,020.00	
Venereal disease control	4,100.00	
Maternal and child health	23,700.00	
Total		$34,820.00
Current expenses:		
Venereal disease control	$250.00	
Maternal and child health	1,500.00	
Crippled childrens services	1,000.00	
Total		2,750.00
Travel:		
General health	$3,446.25	
Venereal disease control	250.00	
Maternal and child health	4,900.00	
Crippled children services	1,550.00	
Total		10,146.25
Total for public health nursing: federal		$47,716.25
*Less estimated revenue		47,716.25
Net appropriation		0.00

Amend the appropriation for health department by striking out paragraph "Communicable disease control: state" and inserting in place thereof the following:

Communicable disease control: state		
Personal services	$26,970.00	
Current expenses	3,300.00	
Travel	1,500.00	
Subsistence and support of persons	78,500.00	
Total		$110,270.00

Amend the paragraph "Communicable disease control: federal" for the department of health by striking out the same and inserting in place thereof the following:

Communicable disease control: federal		
Personal services		
Venereal disease control	$3,780.00	
Tuberculosis control	5,770.00	
Total		$9,550.00
Current expenses:		
Tuberculosis control	$3,859.30	
Heart disease control	2,518.24	
Maternal and child health	3,000.00	
Total		9,377.54
Travel:		
Tuberculosis control		5,000.00
Total for communicable disease control: federal		$23,927.54
Less estimated revenue*		23,927.54
Net appropriation		0.00

Amend the paragraph "Dental services: federal" for the department of health by striking out the same and inserting in place thereof the following:

Dental services: federal	
Personal services:	
Maternal and child health	$11,447.50

Current expenses:		
General health	$2,410.66	
Maternal and child health	2,939.34	
Total		5,350.00
Travel:		
Maternal and child health		3,790.00
Total for dental services: federal		$20,587.50
Less estimated revenue*		20,587.50
Net appropriation		0.00

Amend the paragraph "Maternal and child health and crippled children's services: federal" for the department of health by striking out the same and inserting in place thereof the following:

Maternal and child health and crippled children: federal		
Personal services:		
Heart disease control	$950.00	
Maternal and child health	6,495.00	
Crippled children services	9,000.00	
Total		$16,445.00
Current expenses:		
Heart disease control	$2,729.50	
Maternal and child health	3,122.00	
Crippled children services	53,200.00	
Total		59,051.50
Travel:		
Heart disease control	$500.00	
Maternal and child health	1,500.00	
Crippled children services	1,000.00	
Total		3,000.00
Total for maternal and child health and crippled children services: federal		$78,496.50
Less estimated revenue*		78,496.50
Net appropriation		0.00

Amend the paragraph "Industrial hygiene: federal" for the department of health by striking out the same and inserting in place thereof the following:

Industrial hygiene: federal		
Personal services:		
General health	$8,760.00	
Heart disease control	3,369.50	
Total		$12,129.50
Current expenses:		
General health		2,000.00
Travel:		
General health		3,500.00
Total for industrial hygiene		$17,629.50
Less estimated revenue*		17,629.50
Net appropriation		0.00

Amend the appropriation for health department by striking out paragraph on "Diagnostic laboratories: state" and inserting in place thereof the following:

Diagnostic laboratories: state		
Personal services	$35,940.00	
Current expenses	1,800.00	
Travel	75.00	
Equipment	400.00	
Other expenditures, Hanover branch	1,420.00	
Total		$39,635.00

Amend the paragraph "Diagnostic laboratories: federal" for the department of health by striking out the same and inserting in place thereof the following:

Diagnostic laboratories: federal		
Personal services:		
General health	$2,040.00	
Venereal disease control	3,926.88	
Tuberculosis control	50.00	
Total		$6,016 88

Current expenses:		
General health	$4,363.75	
Tuberculosis control	2,900.00	
Total		7,263.75
Travel:		
General health		450.00
Total for diagnostic laboratories: federal		$13,730.63
Less estimated revenue *		13,730.63
Net appropriation		0.00

Amend the paragraph "Food and chemistry: federal" for the department of health by striking out the same and inserting in place thereof the following

Food and chemistry: federal	
Current expenses:	
General health	$1,000 00
Travel:	
General health	500.00
Total for food and chemistry: federal	$1,500.00
Less estimated revenue *	1,500.00
Net appropriation	0.00

Amend the paragraph "Sanitary engineering: federal" for the department of health by striking out the same and inserting in place thereof the following:

Sanitary engineering: federal	
Personal services:	
General health	$450.00
Current expenses:	
General health	350.00
Travel:	
General health	750.00
Total for sanitary engineering: federal	$1,550 00
Less estimated revenue *	1,550.00
Net appropriation	0.00

Amend the paragraph "Commission on alcoholism: federal" for the department of health by striking out the same and inserting in place thereof the following:

Alcoholism: federal	
Personal services:	
General health (psychiatric fees)	$1,472.00
Total for alcoholism: federal	$1,472.00
Less estimated revenue *	1,472.00
Net appropriation	0.00

Amend the paragraph "Miscellaneous accounts — Various allotments: federal," for the department of health by striking out the same and inserting in place thereof the following:

Training of personnel: federal	
Heart disease control	$1,000.00
Maternal and child health	1,000.00
Crippled children services	1,000.00
Total	$3,000.00
*Less estimated revenue	3,000.00
Net appropriation	0.00
Merit system participation: federal	
General health	$1,517.34
Venereal disease control	193.12
Tuberculosis control	220.70
Hospital services	55.18
Heart disease control	82.76
Maternal and child health	496.58
Crippled children services	193.12
Total	$2,758.80
*Less estimated revenue	2,758.80
Net appropriation	0.00

Under department of health strike out the paragraph on commission of alcoholism: state and insert the following:

Commission on alcoholism: state		
Personal services	$20,360.00	
Current expenses	5,200.00	
Travel	1,200.00	
Other expenditures:		
General hospital treatment	10,000.00	
Total		$36,760.00

Amend total for department of health: state to read 496,178.99.

Amend the appropriation for board of education, administration by striking out the figures "93,071.76" personal services and inserting the figures 87,846.76; by striking out the total for administration "124,361.76" and inserting in place thereof the figures 119,136.76; by striking out the total for board of education and inserting in place thereof the figures 2,080,324.11; and by striking out the figures for net appropriation and inserting the figures 1,377,395.11.

Further amend the appropriation for state board of education by striking out the paragraphs at the end thereof and inserting in place thereof the following:

In addition to the above appropriation said department shall receive for disbursement the income of the teachers colleges' dormitories and practice schools, revenue from tuition received by the Manchester and Portsmouth state trade schools, and the sums paid by school districts for the salaries of superintendents under section 44, chapter 135 of the Revised Laws. No nursery school program shall be allowed at either Keene or Plymouth teachers colleges, and no funds out of this appropriation or any other available funds shall be used for this purpose.

After September 1, 1951, the position of chief of the division of educational research is hereby abolished and the state personnel commission is directed not to establish a similar position under any other title in the department of education.

Amend the appropriation for state prison, maintenance of plant, by striking out the figures for equipment "2,548.00"

and inserting in place thereof the figures 7,548.00; by striking out the figures for the total maintenance of plant, "12,744.90" and inserting the figures 17,744.90, striking out the figures for the total for the state prison and inserting in place thereof the figures 325,670.62, and by striking out the total net appropriation for the state prison and inserting in place thereof the figures 292,723.02.

Amend the appropriation for the legislature by striking out the figures "10,320.00" for the office of the legislative assistant and inserting in place thereof the figures, 10,680.00.

Amend the appropriation for water resources board by striking out the entire paragraph and inserting in place thereof the following:

For water resources board:		
Personal services	$20,085.00	
Current expenses	1,230.00	
Travel	1,700.00	
Equipment	250.00	
Stream flow gauging	10,350.00	
Total for water resources board		$33,615.00
Less transfer from highway funds	$2,750.00	
Less transfer from Pittsburgh project*	5,000.00	
Less other income	1,200.00	
		8,950.00
Net appropriation		$24,665.00

* Transferred by vote of the directors.

Amend said section 1 of said bill by striking out the entire paragraph and footnotes for planning and development commission and inserting in place thereof the following:

For regional associations (6 @ $5,000 each) $30,000.00

Amend the appropriation for civil defense by striking out the figures "20,000" for equipment; striking out the total "47,698" and inserting in place thereof the figures, 27,698.00. Further amend said paragraph by striking out the footnote

and inserting in place thereof the following: Any equipment found to be by the governor and council reasonably necessary for civil defense purposes shall be a charge upon the emergency fund.

Amend the appropriation for public works and highways by adding at the end thereof the following:

Authority is hereby given to expend such balances as may exist July 1, 1951, in the various accounts and any income in excess of the estimates shall be available for further expenditure as may be approved by the governor and council.

Amend the appropriation for the forestry division (forestry and recreation) by striking out the entire paragraph and inserting in place thereof the following:

District fire supervision:		
Personal services	$53,680.00	
Current expenses	20,680.00	
Travel	3,500.00	
Equipment	8,899.00	
Total	$86,759.00	
Less estimated revenue and balances	69,769.00	
Net appropriation		$16,990.00
Lookout stations:		
Personal services		29,925.00
Warden training conferences:		
Current expenses	$2,000.00	
Other expenditures:		
State's share of town bills	3,000.00	
Total		5,000.00
Prevention of fires:		
Personal services	$5,290.00	
Current expenses	2,920.00	
Travel	300.00	
Equipment	7,500.00	
Other expenditures	1,000.00	
Total		17,010.00
Forest fire bills to towns		2,000.00

White pine blister rust:		
Personal services	$11,000.00	
Current expenses	1,120.00	
Total		12,120.00
Northeastern forest fire compact:		
Current expenses	$592.00	
Travel	100.00	
Total		692.00
Administration:		
Salary of state forester	$5,100.00	
Other personal services	21,725.00	
Current expenses	4,675.00	
Travel	1,200.00	
Equipment	250.00	
Total		32,950.00
Nursery:		
Personal services	$15,042.40	
Current expenses	7,340.00	
Equipment	810.00	
Other expenditures:		
Additional nursery land	1,500.00	
Total	$24,692.40	
Less estimated revenue and balances	8,704.00	
Net appropriation		15,988.40
Reforestation:		
Personal services	$2,768.00	
Travel	900.00	
Total		3,668.00
Cooperative forest management:		
Personal services	$10,436.00	
Current expenses	664.00	
Travel	3,200.00	
Equipment	200.00	
Total		14,500.00

Caroline A. Fox Reasearch Fund:		
Personal services	$7,030.00	
Current expenses	3,840.00	
Travel	500.00	
Equipment	60.00	
Total	$11,430.00	
Less estimated revenue and balance	11,430.00	
Net appropriation		0.00
Forest improvement fund:		
Personal services	$23,028.00	
Current expenses	1,010.00	
Travel	2,500.00	
Equipment	4,550.00	
Other expenditures	1,000.00	
Total	$32.088.00	
Total for forestry		150,843.40
Less estimated revenue		1,006.80
Net appropriation		$149,836.60

Amend the appropriation for public service commission by striking out the entire paragraph and inserting in place thereof the following:

For public service commission:		
Salary of 3 commissioners	$20,400.00	
Other personal services	80,303.50	
Current expenses	19,375.00	
Travel	8,000.00	
Equipment	1,000.00	
Aids to navigation	1,600.00	
Total for public service commission	$130,678.50	
Less revenue*	49,000.00	
Net appropriation		$81,678.50

Amend the appropriation for veterans council by striking out the entire paragraph and inserting in place thereof the following:

For veterans burials $10,000.00

To be expended by the department of public welfare.

Amend the appropriation for other personal salaries under division of accounts under paragraph for administration and control by striking out figures "$36,599.00" and inserting figures, $39,349.00, and by changing total for division of accounts from $47,924.00 to $50,674.00 and by changing total for administration and control from $383,959.50 to $386,709.50.

Amend said bill by inserting after section 2 the following new sections:

3. *Salary Adjustment Fund.* Whereas the appropriation for personal services in state departments and institutions for the year ending June 30, 1952 includes an annual increment for each position under the classification law, and whereas, upon occasion, due to personnel turnover, increment increases as provided by the appropriations for salaries and wages as well as longevity are not needed for said positions, whenever a salary or longevity pay increment is not granted due to personnel turnover or due to the replacement of an employee with another employee at a lesser salary, or for other reasons, the department of administration and control shall immediately transfer from the departmental appropriations such portions of said salaries as will be unnecessary or not required to a special account to be known as the "salary adjustment fund". This fund shall be available for transfer to any department or institution for the following enumerated purposes as approved by the division of personnel: (1) for longevity pay; and (2) for changes in classification, allocation, evaluation, maintenance, class specification, step-in-range, transfers, promotions and annual increments not provided in the budget.

4. *Deputy Registers of Probate.* There is hereby appropriated for the fiscal year ending June 30, 1952, the sum of $4,166.66 and there is also hereby appropriated the sum of $5,000 for the fiscal year ending June 30, 1953. The sums appropriated by this section are for the purpose of providing funds for the salary increases for deputy registers of probate as provided under a bill passed at the present session of the

legislature, entitled "An act increasing salaries of deputy registers of probate."

5. *Repeol.* Sections 40, 41, 42, 42-a, 43 as amended by chapters 39 and 154 of the Laws of 1943 are hereby repealed.

Further amend said bill by renumbering section 3 to read section 6.

Further amend section 1 of said bill by striking out the paragraph "office of commission" under the tax commission and inserting in place thereof the following:

Office of commission:	
Salary of 2 commissioners	$8,840.00
Salary of secretary	5,460.00
Other personal services	37,800.00
Current expenses	10,155.00
Travel	12,750.00
Equipment	860.00
Total	$75,865.00

Amend the total for the tax commission by striking out the figures "216,925.00" and inserting the figures, 206,055.00; amend the net appropriation by striking out the figures "178-215.00" and inserting the figures, 167,345.00.

On motion of Mr. Sanborn of Wakefield further reading of the amendment was dispensed with.

Mr. Sanborn of Wakefield moved that the House non-concur in the amendments sent down from the Honorable Senate and asked that a Committee of Conference be appointed.

The question being on the motion to non-concur.

(Discussion ensued)

Mr. Sanborn of Wakefield spoke in favor of the motion.

On a *viva voce* vote the motion prevailed, and the Speaker appointed as members of such committee, on the part of the House, Messrs. Sanborn of Wakefield, Pillsbury of Manchester and Baron of Claremont.

House Bill No. 447, An act making appropriation for the expenses of the state of New Hampshire for the year ending June 30, 1953.

Amend section 1 of said bill as follows:

Amend the paragraph for national guard under the ap-

propriation for adjutant general's department by striking out the same and inserting in place thereof the following:

National guard:		
Personal services	$16,345.00	
Current expenses	17,960.00	
Travel	1,500.00	
Equipment	200.00	
Total		$36,005.00

Amend the footnote at the end of the appropriation for recreation division of forestry and recreation by striking out the words "and such sums shall not lapse."

Amend the paragraph relative to public welfare as follows:

Strike out the figures "102,170*" for other personal services under administration and insert the figures 91,-073.00*; strike out the total for administration and insert the figures 166,665.00; under field services personal services strike out the figures "297,300.00" and insert the figures 267,570.00; strike out the total "368,061.00" and insert the figures 338,-331.00; strike out the entire paragraph for aid to totally and permanently disabled and the total for public welfare by striking out the figures "4,025,648.53" and inserting the figures 3,913,605.73 and by striking out the total for net appropriation "3,804,148.53" and inserting 3,692,105.73.

Amend the appropriation for the motor vehicle department as follows:

Strike out under administration, for other personal services "131,485.00" and insert the figures, 117,190.50; strike out the total for administration "290,495.00" and insert the total 276,200.50: under highway safety strike out the figures for personal services "5,520.00" and insert the figures 7,740.00; strike out the figures for travel "2,500.00" and insert the figures 3,500.00; strike out the figures for total "11,220.00" and insert the figures 14,440.00; strike out the totals for motor vehicle department and insert in place thereof the total 409,660.50; strike out the total for the estimated revenue and insert in place thereof the total 409,660.50.

Amend the appropriation for the state treasury by striking out the entire paragraph and inserting in place thereof the following:

For state treasury:		
Office of treasurer:		
Salary of treasurer	$5,600.00	
Salary of deputy	3,700.00	
Other personal services	41,290.00	
Current expenses	10,515.00	
Travel	200.00	
Total		$61,305.00
Highway division:		
Personal services	$9,750.00	
Current expenses	5,150.00	
Total	$14,900.00	
Less transfer from highway fund	14,900.00	
Net appropriation		0.00
Bounties		12,000.00
Trust funds		37,087.27
Total for state treasury		$110,392.27

Amend the paragraph "Administration: federal" for the department of health by striking out the same and inserting in place thereof the following:

Administration: federal		
Personal services:		
General health	$6,510.00	
Maternal and child health	6,750.00	
Total		$13,260.00
Current expenses:		
General health	$852.00	
Maternal and child health	1,844.82	
Crippled children services	1,000.00	
Total		3,696.82

Travel:		
General health	$1,700.00	
Maternal and child health	2,220.00	
Total		3,920.00
Total for administration: federal		$20,876.82
*Less estimated revenue		20,876.82
Net appropriation		0.00

Amend the paragraph "General health: federal" for the department of health, by striking out the same and inserting in place thereof the following:

Finance: federal		
Personal services:		
General health	$2,660.00	
Maternal and child health	2,090.00	
Total		$4,750.00
Current expenses:		
General health	$540.00	
Maternal and child health	1,550.00	
Total		2,090.00
Travel:		
General health	$150.00	
Maternal and child health	150.00	
Total		300.00
Total for finance: federal		$7,140.00
*Less estimated revenue		7,140.00
Net appropriation		0.00

Amend the paragraph "Hospital services: federal" for the department of health, by striking out the same and inserting in place thereof the following:

Hospital services: federal	
Personal services:	
Maternal and child health	$2,000.00

Current expenses:		
Hospital survey and planning		100.00
Travel		
Hospital survey and planning	$844.82	
Maternal and child health	55.18	
Total		900.00
Total for hospital services: federal		$3,000.00
*Less estimated revenue		3,000.00
Net appropriation		0.00

Amend the paragraph "Vital statistics: federal" for the department of health by striking out the same and inserting in place thereof the following:

Vital statistics: federal		
Personal services:		
General health	$500.00	
Heart disease control	500.00	
Maternal and child health	5,450.00	
Total		$6,450.00
Current expenses:		
General health	$2,000.00	
Heart disease control	1,500.00	
Maternal and child health	2,750.00	
Total		6,250.00
Travel:		
General health	$200.00	
Maternal and child health	950.00	
Total		1,150.00
Total for vital statistics: federal		$13,850.00
*Less estimated revenue		13,850.00
Net appropriation		0.00

Amend the paragraph "public health nursing: federal" for the department of health by striking out the same and inserting in place thereof the following:

Public health nursing: federal		
Personal services:		
General health	$7,520.00	
Venereal disease control	4,550.00	
Maternal and child health	24,180.00	
Total		$36,250.00
Current expenses:		
Venereal disease control	$250.00	
Maternal and child health	1,500.00	
Crippled children services	1,000.00	
Total		2,750.00
Travel:		
General health	$3,446.25	
Venereal disease control	800.00	
Maternal and child health	4,900.00	
Crippled children services	1,000.00	
Total		10,146.25
Total for public health nursing: federal		$49,146.25
*Less estimated revenue		49,146.25
Net appropriation		0.00

Amend the paragraph for communicable disease control: state in department of health by striking out said paragraph and inserting in place thereof the following:

Communicable disease control: state		
Personal services	$27,810.00	
Current expenses	3,300.00	
Travel	1,500.00	
Subsistence and support of persons	78,500.00	
Total		$11,110.00

Amend the paragraph "Communicable disease control: federal" for the department of health by striking out the same and inserting in place thereof the following:

Communicable disease control: federal		
Personal services:		
Venereal disease control	$3,960.00	
Tuberculosis control	10,680.00	
Total		$14,640.00
Current expenses:		
Venereal disease control	$500.00	
Tuberculosis control	5,000.00	
Heart disease conrtol	2,000.00	
Maternal and child health	3,000.00	
Total		10,500.00
Travel:		
Tuberculosis control		5,000.00
Total for communicable disease control: federal		$30,140.00
Less estimated revenue*		30,140.00
Net appropriation		0.00

Amend the paragraph "Dental services: federal" for the department of health by striking out the same and inserting in place thereof the following:

Dental services: federal		
Personal services:		
Maternal and child health		$11,807.50
Current expenses:		
General health	$4,350.00	
Maternal and child health	1,000.00	
Total		5,350.00
Travel:		
Maternal and child health		4,090.00
Total for dental services: federal		$21,247.50
Less estimated revenue *		21,247.50
Net appropriation		0.00

Amend the paragraph "Maternal and child health and crippled children's services: federal" for the department of health by striking out the same and inserting in place thereof the following:

Maternal and child health and crippled children services: federal		
Personal services:		
Heart disease control	$950.00	
Maternal and child health	6,495.00	
Crippled children services	9,000.00	
Total		$16,445.00
Current expenses:		
Heart disease control	$2,729.50	
Maternal and child health	3,122.00	
Crippled children services	53,200.00	
Total		59,051.50
Travel:		
Heart disease control	$1,500.00	
Maternal and child health	1,500.00	
Total		3,000.00
Total for maternal and child health and crippled children services: federal		$78,496.50
Less estimated revenue		78,496.50
Net appropriation		0.00

Amend the paragraph "Industrial hygiene: federal" for the department of health by striking out the same and inserting in place thereof the following:

Industrial hygiene: federal		
Personal services:		
General health	$9,180.00	
Heart disease control	3,369.50	
Total		$12,549.50

Current expenses:	
General health	2,500.00
Travel:	
General health	3,500.00
Total for industrial hygiene: federal	$18,549.50
Less estimated revenue *	18,549.50
Net appropriation	0.00

Amend the paragraph "Diagnostic laboratories: state" by striking out said paragraph and inserting in place thereof the following:

Diagnostic laboratories: state		
Personal services	$37,230.00	
Current expenses	1,800.00	
Travel	75.00	
Equipment	400.00	
Other expenditures—Hanover branch	1,420.00	
Total		$40,925.00

Amend the paragraph "Diagnostic laboratories: federal" for the department of health by striking out the same and inserting in place thereof the following:

Diagnostic laboratories: federal		
Personal services:		
General health	$2,130.00	
Venereal disease control	5,220.00	
Tuberculosis control	50.00	
Total		$7,400.00
Current expenses:		
General health	$4,523.25	
Venereal disease control	264.00	
Tuberculosis control	2,900.00	
Total		7,687.25

Travel:	
General health	450.00
Total for diagnostic laboratories: federal	$15,537.25
Less estimated revenue	15,537.25
Net appropriation	0.00

Amend the paragraph "Food and chemistry: federal" for the department of health by striking out the same and inserting in place thereof the following:

Food and chemistry: federal	
Current expenses:	
General health	$1,250.00
Travel:	
General health	500.00
Total for food and chemistry: federal	$1,750.00
Less estimated revenue*	1,750.00
Net appropriation	0.00

Amend the paragraph "Sanitary engineering: federal" for the department of health by striking out the same and inserting in place thereof the following:

Sanitary engineering: federal	
Personal services:	
General health	$450.00
Current expenses:	
General health	350.00
Travel:	
General health	1,000.00
Total for sanitary engineering: federal	$1,800.00
Less estimated revenue	1,800.00
Net appropriation	0.00

Amend the paragraph "Commission on alcoholism: federal" for the department of health by striking out the same and inserting in place thereof the following:

Alcoholism: federal	
Personal services:	
General health (psychiatric fees)	$1,232.00
Total for alcoholism: federal	$1,232.00
Less estimated revenue*	1,232.00
Net appropriation	0.00

Amend the paragraph "Miscellaneous accounts: Various allotments—federal" for the department of health by striking out the same and inserting in place thereof the following:

Training of personnel: federal	
Heart disease control	$1,000.00
Tuberculosis control	1,000.00
Maternal and child health	1,000.00
Crippled children services	1,000.00
Total	$4,000.00
Less estimated revenue*	4,000.00
Net appropriation	0.00
Merit system participation: federal	
General health	$768.00
Venereal disease control	566.00
Tuberculosis control	250.00
Hospital services	55.18
Heart disease control	341.00
Maternal and child health	950.00
Crippled children services	850.00
Total	$3,780.18
Less estimated revenue*	3,780.18
Net appropriation	0.00

Under department of health strike out the paragraph on commission of alcoholism: state and insert the following:

Commission on alcoholism: state		
Personal services	$21,020.00	
Current expenses	5,200.00	
Travel	1,200.00	
Other expenditures:		
General hospital treatment	10,000.00	
Total		$37,420.00

Amend the total for department of health by striking out "505,320.99" and inserting 505,290.99.

Amend the appropriation for the board of education, administration by striking out the figures "96,380.76" for personal services and inserting in place thereof the figures 89,840.76; by striking out the total "127,745.76" and inserting the figures 121,205.76; by striking out the total for the board of education and inserting in place thereof the figures 2,099,263.86; by striking out the figures for net appropriation for said board and inserting in place thereof the figures 1,392,039.86.

Further amend the appropriation for the state board of education by striking out the paragraphs at the end thereof and inserting in place thereof the following:

In addition to the above appropriation said department shall receive for disbursement the income of the teachers colleges' dormitories and practice schools, revenue from tuitions received by the Manchester and Portsmouth state trade schools, and the sums paid by school districts for the salaries of superintendents under section 44, chapter 135 of the Revised Laws. No nursery school program shall be allowed at either Keene or Plymouth Teachers Colleges and no funds out of this appropriation or any other available funds shall be used for this purpose.

Amend the appropriation for the legislature by striking out the figures "10,600.00" for the office of the legislative assistant and inserting in place thereof the figures 10,960.00.

Amend the appropriation for water resources board by striking out the entire paragraph and inserting in place thereof the following:

For water resources board:		
Personal services	$20,475.00	
Current expenses	1,235.00	
Travel	1,700.00	
Equipment	175.00	
Stream flow gauging	10,350.00	
Total for water resources board		$33,935.00
Less transfer from highway	$2,750.00	
Less transfer from Pittsburgh project *	5,000.00	
Less other income	1,200.00	
		8,950.00
Net appropriation		$24,985.00

* Transferred by vote of the directors.

Amend said section 1 of said bill by striking out the entire paragraph and footnotes for planning and development commission and inserting in place thereof the following:

For regional associations 6 at $5,000.00 each $30,000.00

Amend the appropriation for civil defense by striking out the figures "20,000.00" for equipment; striking out the total "48,178.00" and inserting in place thereof the figures 28,178.00.

Further amend said paragraph by striking out the footnote and inserting in place thereof the following:

Any equipment found to be by the governor and council reasonably necessary for civil defense shall be a charge upon the emergency fund.

Amend the appropriation for public works and highways by adding at the end the following:

Any income in excess of the estimates shall be available for further expenditures as may be approved by the governor and council.

Amend the appropriation for the forestry division (forestry and recreation) by striking out the entire paragraph and inserting in place thereof the following:

District fire supervision:		
Personal services	$55,970.00	
Current expenses	20,360.00	
Travel	2,700.00	
Equipment	7,959.00	
Total		$86,989.00
Less estimated revenue and balances		69,369.00
Net appropriation		$17,620.00
Lookout stations:		
Personal services		30,840.00
Warden training conferences:		
Current expenses	$2,000.00	
Other expenditures:		
State's share of town bills	3,000.00	
Total		5,000.00
Prevention of fires:		
Personal services	$5,342.50	
Current expenses	2,920.00	
Travel	300.00	
Equipment	3,000.00	
Other expenditures	1,000.00	
Total		12,562.50
Forest fire bills to towns		2,000.00
White pine blister rust:		
Personal services	$11,000.00	
Current expenses	1,120.00	
Total		12,120.00
Northeastern forest fire control:		
Current expenses	$592.00	
Travel	100.00	
Total		692.00

Administration:		
Salary of state forester	$5,200.00	
Other personal services	22,365.00	
Current expenses	4,925.00	
Travel	1,200.00	
Equipment	250.00	
Total		33,940.00
Nursery:		
Personal services	$14,985.07	
Current expenses	8,160.00	
Equipment	1,650.00	
Total	$24,795.07	
Less estimated revenue and balances	8,704.00	
Net appropriation		16,091.07
Reforestation:		
Personal services	$2,784.88	
Travel	900.00	
Total		3,684.88
Cooperative forest management:		
Personal services	$10,436.00	
Current expenses	664.00	
Travel	3,200.00	
Equipment	200.00	
Total		14,500.00
Caroline A. Fox Research Fund:		
Personal services	$7,475.00	
Current expenses	3,550.00	
Travel	500.00	
Equipment	60.00	
Total	$11,585.00	
Less estimated revenue and balance	11,585.00	
Net appropriation		0.00

Forest improvement fund:		
Personal services	$23,416.60	
Current expenses	1,010.00	
Travel	2,500.00	
Equipment	50.00	
Other expenditures	1,000.00	
Total	$27,976.60	
Less estimated revenue and balance	27,976.60	
Net appropriation		0.00
Total for forestry division		$149,050.45
Less revenue		1,006.80
Net appropriation		$148,043.65

Amend the appropriation for public service commission by striking out the entire paragraph and inserting in place thereof the following:

For public service commission:		
Salary—3 commissioners	$20,700.00	
Other personal services	82,213.00	
Current expenses	19,375.00	
Travel	8,000.00	
Equipment	1,000.00	
Aids to navigation	1,600.00	
Total for public service commission		$132,888.00
*Less revenue		49,000.00
Net appropriation		$83,888.00

Amend the appropriation for veterans council by striking out the entire paragraph and inserting in place thereof the following:

For veterans burials $10,000.00

To be expended by the department of public welfare.

Amend the appropriation for other personal services under division of accounts under paragraph for administration and control by striking out figures "$37,379.00" and inserting

figures, $40,309.00, and by changing total for division of accounts from $45,304.00 to $48,234.00 and by changing total for administration and control from $370,033.00 to $372,963.00.

Amend the appropriation for office of commission for the tax commission by striking out said paragraph and inserting in place thereof the following:

Office of commission:		
Salary—2 commissioners	$9,040.00	
Salary of secretary	5,620.00	
Other personal services	39,300.00	
Current expenses	10,155.00	
Travel	12,750.00	
Equipment	550.00	
Total		$77,415.00

Amend the total for the tax commission by striking out the figures "$220,150.00" and inserting the figures, 209,230.00; and by striking out the figures for net appropriation of 181,385.00 and inserting the figures, 170,465.00.

On motion of Mr. Sanborn of Wakefield further reading of the amendment was dispensed with.

Mr. Sanborn of Wakefield moved that the House non-concur in the amendments sent down from the Honorable Senate, and that a Committee of Conference be appointed.

On a *viva voce* vote the motion prevailed and the Speaker appointed as members of such committee on the part of the House, Messrs. Sanborn of Wakefield, Pillsbury of Manchester and Baron of Claremont.

House Bill No. 419, An act relative to the taxation of tobacco products.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relative to the taxation of tobacco products.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Increase in Taxes.* Amend section 5 of chapter 79 of the Revised Laws as amended by section 4, chapter 238,

Laws of 1947, by striking out said section and inserting in place thereof the following: 5. *Tax Imposed.* A tax is hereby imposed at the rate of eighteen per cent upon the value of all tobacco products sold at retail in this state measured by the usual selling price. The payment of the tax shall be evidenced by affixing stamps to the smallest packages containing the tobacco products in which such products usually are sold at retail, but the word package as used herein shall not include individual cigars, cigarettes, or plugs or hanks of chewing tobacco, and such stamps shall be affixed in denominations of not less than one-quarter cent to an aggregate value nearest the tax hereby imposed. No tax is imposed on any transactions the taxation of which by this state is prohibited by the constitution of the United States. Each unclassified importer shall within twenty-four hours after receipt of any unstamped tobacco products in this state notify the tax commission of the amount and brands of tobacco products received and the name and address of the consignor. The tax commission, thereupon, shall notify the unclassified importer of the amount of the tax due thereon, at the rate of eighteen per cent of the value thereof. Payment of the amount due the state shall be made within ten days from the mailing date of notice thereof. Any unclassified importer refusing to pay the tax on tobacco products imported by him within ten days after being notified of the amount of said tax by the tax commission, shall be subject to a fine of not less than twenty-five dollars or more than one hundred dollars.

2. *Definitions.* Amend paragraph IX of section 1, chapter 79 of the Revised Laws, as amended by section 1, chapter 133, Laws of 1947 by striking out said paragraph and inserting in place thereof the following:

IX. "Vending machine operator," any person who owns or operates one or more vending machines installed in premises owned or controlled by a person other than himself and who receives as compensation therefor a part of the proceeds of sales made by such machines or a regular rental fee for the use thereof, but no person owning or using vending machines in or upon his own premises shall be classified as a vending machine operator hereunder.

3. *Usual Selling Price.* Amend paragraph XV of section 1 chapter 79 of the Revised Laws as amended by section

1, chapter 133, Laws of 1947 by striking out said paragraph and inserting in place thereof the following:

XV. "Usual selling price," means the normal retail selling price of tobacco products as determined by the tax commission. In determining the usual selling price the commission shall consider the generally established price of tobacco products at retail stores in this state before such determination, and the wholesaler's price, usual retailer's profit, and advertised prices both within and without the state. Advertised "cut-rate" prices and quantity discounts allowed by retailer shall be evidence that the "usual selling price" is higher than such "sale" or bargain prices.

4. *Forfeited Goods.* Amend section 15 of chapter 79 of the Revised Laws, as amended by section 12, chapter 133, Laws of 1947 and section 5, chapter 238, Laws of 1947 by striking out said section and inserting in place thereof the following:

15. *Forfeiture.* Any tobacco products found at any place in this state without stamps affixed thereto as required herein, unless they shall be in the possession of a licensed manufacurer, wholesaler, sub-jobber or vending machine operator, or unless they shall be in the course of transit from without this state and consigned to a licensed manufacturer, wholesaler, sub-jobber or vending machine operator, or a licensed retailer, or unless they shall have been received by a licensed retailer from without the state within twenty-four hours, or unless they shall have been imported, received, or acquired within twenty-four hours by a licensed unclassified importer who has notified the tax commission as provided in section 5, shall be forfeited. All forefeited goods shall be sold by the director or his agent and the proceeds realized therefrom paid into the general funds of the state.

5. *Appropriation.* There is hereby appropriated the sum of eight thousand four hundred dollars for the fiscal year ending June 30, 1952, and the sum of seven thousand two hundred dollars for the fiscal year ending June 30, 1953, for the tax commission for the tobacco products division. The sums hereby appropriated shall be in addition to any other appropriations made for said division for said periods.

6. *Takes Effect.* This act shall take effect December 1, 1951.

On motion of Mr. Geisel of Manchester further reading of the amendment was dispensed with.

Mr. Geisel of Manchester moved that the House non-concur in the amendments sent down from the Honorable Senate, and asked that a Committee of Conference be appointed.

On a *viva voce* vote the motion prevailed and the Speaker appointed as members of such committee, on the part of the House, Messrs. Bass of Peterborough, Geisel and Kearns of Manchester.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 342, An act to provide for the coverage of certain officers and employees of the state and local governments under the old age and survivors' insurance provisions of title II of the Federal Social Security Act, as amended.

The message further announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 387, An act providing for non-partisan municipal elections in the city of Manchester.

The President appointed as members of such a committee, on the part of the Senate, Senators Brown and Caron.

The Senate voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 398, An act establishing a Tri-State Authority to enable the collective construction and operation of institutions in Maine, New Hampshire and Vermont.

The President appointed as members of such a committee, on the part of the Senate, Senators Weeks and Read.

House Bill No. 446, An act making appropriation for the expenses of the state of New Hampshire for the year ending June 30, 1952.

The President appointed as members of such a committee, on the part of the Senate, Senators Dole and Darling.

House Bill No. 447, An act making appropriation for the expenses of the state of New Hampshire for the year ending June 30, 1953.

The President appointed as members of such a committee, on the part of the Senate, Senators Dole and Darling.

House Bill No. 419, An act relative to the taxation of tobacco products.

The President appointed as members of such a committee, on the part of the Senate, Senators Whittier and Read.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 138, An act relating to the University of New Hampshire.

House Bill No. 375, An act to establish a legislative council.

The Senate refused to accept the Committee of Conference report on House Bill No. 160, An act relating to real estate brokers and salesmen, and requested a new Committee of Conference.

The President appointed as members of such new committee, on the part of the Senate, Senators Loizeaux and Paquette.

Unfinished Business

The Speaker laid before the House the unfinished business.

It being the Committee of Conference report to House Bill No. 160, An act relating to real estate brokers and salesmen, found in Thursday's Journal.

Mr. Tilton of Laconia, Ward 4 moved that the House disagree and that a new Committee of Conference be appointed.

The question being on the motion of the member from Laconia.

(Discussion ensued)

Messrs. Tilton of Laconia and Lamprey of Moultonborough spoke in favor of the motion.

Mr. Maxwell of Henniker moved that the report of Committee of Conference to House Bill No. 160 be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Messrs. Maxwell of Henniker, Daniel of Manchester, Chandler of Warner, Fernald of Rochester and Gagnon of Manchester spoke in favor of the motion.

Messrs. Lamprey of Moultonborough, Jones of Lebanon, Tilton of Laconia and Wadleigh of Milford spoke against the motion.

Mr. Kennedy of Manchester moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

Mr. Lamprey of Moultonborough asked for a division.

A division being had, 172 members having voted in the affirmative and 122 members having voted in the negative, the motion to indefinitely postpone the Committee of Conference report prevailed.

Mr. Lamprey of Moultonborough demanded the Yeas and Nays but subsequently withdrew his demand.

Resolution

Mr. Philbrick of Rye offered the following resolution.

Whereas, we have learned with sorrow of the death of Charles W. Bonney, Representative from Greenland, therefore be it

Resolved, That we pay tribute to our fellow member for his devoted and faithful service to his town and state and be it further

Resolved, That we the members of the House of Representatives extend our heartfelt sympathy to the bereaved family and be it further

Resolved, That when the House adjourns today it adjourns in memory of Charles W. Bonney and be it further

Resolved, That the Clerk of the House transmit a copy of these Resolutions to his family.

On a rising vote the resolution was unanimously adopted.

Personal Privilege

Mr. Pickett of Keene rose to a point of personal privilege and discussed the awarding of contracts under the highway program.

Mr. Spaulding of Hudson rose to a point of personal privilege and discussed the awarding of contracts under the highway program.

On motion of Mr. Wadleigh of Milford the rules were suspended and business in order at 3:00 o'clock was made in order at the present time.

On motion of Mr. Hepworth of Derry at 1:32 o'clock the House adjourned.

WEDNESDAY, AUGUST 29, 1951

The House met according to adjournment.

Prayer was offered by guest Chaplain Rev. Archibald Kerr, Pastor Immanuel Community Church of Concord.

Eternal Father, to whom can we go in these troublous times but unto Thee. We need Thy Divine Assistance in the guiding of our thought and thinking, in the supplying of that wisdom which will cast light and leading upon the problems we face together in the finding of their solution.

Lift up the light of thy countenance upon this august body as they deliberate upon the essential requirements necessary for the well being of the state and its people. Let wisdom predominate and truth preside in the minds of all so that the righteousness which exalteth a nation shall unfailingly be the motivating power of all the branches of our state government in its Legislative ruling and decrees.

May the benediction of peace be with us all and the inspiration of Thy spirit ever prompting us to acknowledge the Lord in all our ways; in this assurance He will surely direct our paths in the enlightening of our minds and understanding of His way and will for the well being of our state and nation.

In Christ's name we ask it. Amen.

Leaves of Absence

Messrs. Barney of Rumney, Bennett of Keene and Perkins of Concord were granted leave of absence for the day on account of important business.

Introduction of Joint Resolution

The following joint resolution was introduced, read a first and second time and referred as follows:

By the Committee on Rules (sponsored by Mr. Scamman of Stratham), House Joint Resolution No. 46, Joint resolution in favor of the estate of Charles W. Bonney.

Referred to the Committee on Appropriations.

On motion of Mr. Scamman of Stratham the rules were suspended, printing and reference to committee dispensed with.

On motion of Mr. Scamman of Stratham the rules were further suspended to allow the third reading and final passage, by title only, at the present time.

Read a third time and passed and sent to the Senate for concurrence.

Engrossed Bills

Mrs. Corliss of Manchester, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

House Bill No. 342, An act to provide for the coverage of certain officers and employees of the state and local governments under the old-age and survivors insurance provisions of title II of the Federal Social Security Act, as amended.

House Bill No. 375, An act to establish a legislative council.

House Bill No. 376, An act increasing salaries of deputy registers of probate and relative to soliciting contributions for election of candidates.

Senate Bill No. 8, An act relative to lobster meat processed outside the jurisdiction of this state.

The report was accepted.

Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 451, An act relating to the election of representatives to the General Court, having considered the same,

recommend that the Senate recede from its postion in adopting its amendments, that the House recede from its position of non-concurrence and that the Senate and the House adopt the following amendments to the bill.

Amend section 3 of said bill by striking out after the word "Easton" the number "1956" and inserting in place thereof the number, 1952; by striking out after the word "Eaton" the number "1954" and inserting in place thereof the number, 1952; by striking out after the word "Millsfield" the number "1952" and inserting in place thereof the number, 1954, and by striking out after the word "Roxbury" the number "1952" and inserting in place thereof the number 1956 so that the amended lines shall read as follows:

Easton	1952
Eaton	1952
Millsfield	1954
Roxbury	1956

Further amend section 3 of the bill by striking therefrom all reference to the town of Livermore.

Further amend the bill by adding after section 3 the following new section: 4. *Dissolution of Towns.* The town of Livermore is hereby dissolved as a body corporate and politic. The Governor and Council are authorized and directed to take appropriate action to properly preserve the town records of the town of Livermore, to make such disposition of town property as is proper, and to take such further action as may be necessary to complete the dissolution of the town of Livermore.

Further amend the bill by renumbering sections 4 and 5 to be sections 5 and 6.

CHARLES HOLDEN,
FLORENCE MOREY,
C. MURRAY SAWYER,
Conferees on the part of the House.

SARA E. OTIS,
STANLEY M. BROWN,
Conferees on the part of the Senats.

Mr. Holden of Hanover moved that the report of the Committee of Conference be agreed to.

On a *viva voce* vote the report was agreed to.

Mr. Sanborn of Wakefield moved that the House recess. The question being on the motion to recess.

(Discussion ensued)

Mr. Sanborn of Wakefield spoke in favor of the motion. On a *viva voce* vote the motion prevailed.

After Recess

Committee of Conference

The Committee of Conference on House Bill No. 446, An act making appropriations for the expenses of the state of New Hampshire for the year ending June 30, 1952, having considered the same, reported the same with the following recommendations:

The committee recommends that the House recede from its position of non-concurrence to the amendments adopted by the Senate for the following departments and institutions — to the appropriation for the office of the legislative assistant to the legislature; to the appropriation for the national guard; to the appropriation for the division of accounts under the paragraph for administration and control; to the amendments for forestry division of forestry and recreation; to the amendments to the appropriations for the department of health; to the footnote for the appropriation for public works and highways; to the amendment for the department of agriculture; to the amendment to the appropriations for the state treasury; to the amendment for the department of water resources; to the amendment for the public service commission; and for the amendment for the tax commission.

The committee further recommends that the Senate recede from its adoption of its amendments for civil defense.

The committee further recommends that the House recede from its position of non-concurrence in the Senate amendments and that the Senate recede from its position in adopting its amendments and that the Senate and the House adopt the following amendments to said bill relative to the following departments and institutions:

Amend the appropriation for state prison, maintenance of plant, by striking out said paragraph and inserting in place thereof the following:

Maintenance of plant		
Current expenses	$10,196.90	
Equipment	2,548.00	
Other expenditures		
repairs to chimneys	5,000.00	
		$17,744.90

Amend the total for the state prison by striking out the figures "$320,670.62" and inserting the figures, $325,670.62; and striking out the figures for the net appropriation "$287,-723.02" and inserting the figures, $292,723.02.

Amend the appropriation for veterans council by striking out the entire paragraph and inserting in place thereof the following:

For veterans council		
Personal services	$6,000.00	
Current expenses	810.00	
Travel	2,000.00	
Equipment	250.00	
Veterans burials	10,000.00	
Total		$19,060.00

Amend the paragraph for the motor vehicle department as follows:

Under administration strike out the figures for other personal services and insert in place thereof the figures, 117,195; strike out the total for administration and insert the figures, 275,905.00; under highway safety strike out the figures for personal services "5,280.00" and insert the figures, 7,080.00, for travel strike out the figures "2,500.00" and insert the figures, 3,500.00; strike out the total "10,980.00" and insert the figures, 13,780.00; strike out the total for the motor vehicle department and insert in place thereof the figures, 406,865.00; strike out the figures for estimated revenue and insert in place thereof the figures, 406,865.00.

Under the paragraph for legislative assistant under the appropriation for salary of deputy assistant strike out the figures "$3,270" and insert the figures $3,630.

The committee further recommends that the Senate recede in adopting its amendments to the office of commissioner of education and to its adoption of its amendments to section 2

of said bill and that the House recede from its position of non-concurrence in the amendment to other personal services under the department of education, administration, and to the footnotes for said department and further that the Senate and the House adopt the following amendments to totals for the department of education: The total for administration $119,136.76; total for the department $2,080,324.11, less estimated revenue $702,929; net total for the department $1,377,395.11.

The committee further recommends that the Senate recede from its adoption of its amendments relative to planning and development commission, that the House recede from its non-concurrence and that the Senate and House adopt the following:

For planning and development commission:	
Salary of director	$5,400.00
Other personal services	51,000.00
Current expenses	40,800.00
Travel	8,000.00
Equipment	2,000.00
Other expenditures:	
Regional associations*	16,950.00
Eastern States exposition	8,000.00
Total for planning and development commission	$132,150.00
Less revenue	7,150.00
Net appropriation	**$125,000.00

* This appropriation shall be administered by the state planning and development commission for the aid of regional development associations. Not more than $2,285.00 may be allotted by the commission to any one regional association whose bounds, form of organization and program shall first have been approved by the commission. Any unexpended portion of this appropriation shall lapse and shall not be transferred to any other state apropriation.

** The state planning and development commission is hereby authorized to make such transfers of funds within this appropriation as said commission may deem advisable, subject to the approval of the governor and council.

The committee further recommends that the Senate recede from its adoption of its amendments for the department of public welfare and that the House recede from its position of non-concurrence and that the House and Senate adopt the following amendments to the appropriation for the department of public welfare:

Strike out the figures "99,590" under administration and insert the figures 94,610.50; strkie out the total for administration and insert the figures 169,102.50; under field services strike out the figures for personal services and insert the figures 274,084.50; strike out the total for field services and insert the figures 347,073.00; and amend the paragraph relative to aid to totally and permanently disabled and insert in place thereof the following:

Aid to totally and permanently disabled:		
State's share		$31,383.90
Towns and counties	$72,373.10	
Less revenue	72,373.10	
Net appropriation		0.00
Federal	$105,469.00	
*Less revenue	105,469.00	
Net appropriation		0.00

For the period ending June 30, 1953, the share which a county or town must reimburse the state for aid to totally and permanently disabled persons for which such county or town is liable shall be thirty-five per cent. Provisions of law inconsistent with the provisions hereof are hereby suspended until June 30, 1953.

Amend the totals for the department of public welfare as follows:

Total for public welfare		$3,742,471.64
Less revenue	$221,500.00	
Less balance	254,031.84	
		475,531.84
Net appropriations		$3,266,939.80

The committee further recommends the House and the Senate amend the figures for total net appropriation to read $13,855,053.38.

The committee further recommends that the House recede from its position of non-concurrence, that the Senate recede from adoption of its amendments in so far as the insertion of sections after section 2, and that the House and Senate adopt the following amendments to the bill:

Amend said bill by inserting after section 2 the following new sections:

3. *Salary Adjustment Fund.* Whereas the appropriation for personal services in state departments and institutions for the year ending June 30, 1952, includes an annual increment for each position under the classification law, and whereas, upon occasion, due to vacancies and personnel turnover, salaries and wages and increment increases as provided by the appropriations as well as longevity are not needed for said positions, whenever a salary or longevity pay increment is not granted due to personnel turnover or due to the replacement of an employee with another employee at a lesser salary, or for other reasons, the department of administration and control shall immediately transfer from the department appropriations such portions of said salaries as will be unnecessary or not required to a special account to be known as the salary adjustment fund. This fund shall be available only for transfer to departments or institutions for emergency personnel needs or the employment of temporary help, subject to the approval of the governor and council.

4. *Deputy Registers of Probate.* There is hereby appropriated for the fiscal year ending June 30, 1952, the sum of $4,166.66 and there is also hereby appropriated the sum of $5,000 for the fiscal year ending June 30, 1953. The sums appropriated by this section are for the purpose of providing funds for the salary increases for deputy registers of probate as provided under a bill passed at the present session of the legislature increasing salaries of deputy registers of probate.

5. *Printing.* No funds of the state of New Hampshire whether appropriated hereunder or otherwise available, shall be expended for printing, publication or binding of any matter not expressly authorized to be printed, published or bound, by existing statute; and no such expressly authorized printing, publication or binding shall be contracted for except upon express approval as to format, artistic layout, and cost, by the

governor and council, or by a person or persons appointed by the governor and council for that purose.

6. *Takes Effect.* This act shall take effect as of July 1, 1951.

ANSEL N. SANBORN,
JOHN PILLSBURY,
WM. P. BARON,
Conferees on the part of the House.
JOHN W. DOLE,
BURLEIGH R. DARLING,
Conferees on the part of the Senate.

Mr. Sanborn of Wakefield moved that further reading of the report be dispensed with and that the House agree to the report of the Committee of Conference.

The question being on the motion of the member from Wakefield.

(Discussion ensued)

Messrs. Sanborn of Wakefield, Turner of Keene, Pillsbury of Manchester, Baron of Claremont, Barry of Wilton, McMeekin of Haverhill and Spaulding of Hudson spoke in favor of the motion.

Mr. Nelson of Milford spoke against the motion.

Mr. Scamman of Stratham moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to dispense with the reading of and agreeing to the Committee of Conference report.

On a *viva voce* vote the motion prevailed.

Committee of Conference Report

The Committee of Conference on House Bill No. 447, An act making appropriations for the expenses of the state of New Hampshire for the year ending June 30, 1953, having considered the same, reported the same with the following recommendations:

The committee recommends that the House recede from its position of non-concurrence to the amendments adopted by the Senate for the following departments and institutions—

to the appropriation for the office of the legislative assistant to the legislature; to the appropriation for the national guard; to the appropriation for the division of accounts under the paragraph for administration and control; to the amendments for forestry division of forestry and recreation; to the amendments to the appropriations for the department of health; to the footnote for the appropriation for public works and highways; to the amendment to the appropriation for the state treasury; to the amendment for the department of water resources; to the amendment for the public service commission; and for the amendment for the tax commission.

The committee further recommends that the Senate recede from its adoption of its amendments for civil defense.

The Committee further recommends that the House recede from its position of non-concurrence in the Senate amendments and that the Senate recede from its position in adopting its amendments and that the Senate and the House adopt the following amendments to said bill relative to the following departments and institutions:

Amend the appropriation for veterans council by striking out the entire paragraph and inserting in place thereof the following:

For veterans council		
Personal services	$6,120.00	
Current expenses	610.00	
Travel	2,000.00	
Veterans burials	10,000.00	
Total		$18,730.00

Amend the paragraph for the motor vehicle department as follows:

Under administration strike out the figures for other personal services and insert in place thereof the figures, 121,485; strike out the total for administration and insert the figures, 280,495; under highway safety strike out the figures for personal services "5,520.00" and insert the figures, 7,740.00; for travel strike out the figures "2,500.00" and insert the figures, 3,500.00; strike out the total "11,220.00" and insert the figures, 14,440.00; strike out the total for the motor vehicle department and insert in place thereof the figures, 413,955.00; strike

out the figures for estimated revenue and insert in place thereof the figures, 413,955.00.

Under the paragraph for legislative assistant under the appropriation for salary of deputy assistant strike out the figures "3,450.00" and insert the figures, $3,810.00.

The committee further recommends that the Senate recede in adopting its amendments to the office of commissioner of education and that the House recede from its position of non-concurrence in the amendment to other personal services under the department of education, administration, and to the footnotes for said department and further that the Senate and the House adopt the following amendments to totals for the department of education: The total for administration, $121,-205.76; total for the department $2,099,263.86, less estimated revenue 702,929.00; net total for the department $1,392,039.86.

The committee further recommends that the Senate recede from its adoption of its amendments relative to planning and development commission, that the House recede from its non-concurrence and that the Senate and House adopt the following:

For planning and development commission:		
Salary of director	$5,500.00	
Other personal services	53,000.00	
Current expenses	38,700.00	
Travel	8,000.00	
Equipment	2,000.00	
Other expenditures:		
Regional associations*	16,950.00	
Eastern states exposition	8,000.00	
Total for planning and development commission	$132,150.00	
Less revenue	7,150.00	
Net appropriation		** $125,000.00

* This appropriation shall be administered by the state planning and development commission for the aid of regional development associations. Not more than $2,285.00 may be alloted by the commission to any one regional association

whose bounds, form of organization and program shall first have been approved by the commission. Any unexpended portion of this appropriation shall lapse and shall not be transferred to any other state appropriation.

** The state planning and development commission is hereby authorized to make such transfers of funds within this appropriation as said commission may deem advisable, subject to the approval of the governor and council.

The committee further recommends that the Senate recede from its adoption of its amendments for the department of public welfare and that the House recede from its position of non-concurrence and that the House and Senate adopt the following amendments to the appropriation for the department of public welfare:

Strike out the figures "102,170.00" under administration and insert the figures 97,061.50*; strike out the total for administration and insert the figures 172,653.50; under field services strike out the figure for personal services and insert the figures 282,435.00; strike out the total for field services and insert the figure 353,196.00; amend the paragraph relative to aid to totally and permanently disabled and insert in place thereof the following:

Aid to totally and permanently disabled:		
State's share		$41,037.95
Towns and counties	$98,574.43	
Less revenue	98,574.43	
Net appropriation		0.00
Federal	$133,973.92	
Less revenue*	133,973.92	
Net appropriation		0.00

For the period ending June 30, 1953, the share which a county or town must reimburse the state for aid to permanently and totally disabled persons for which such county or town is liable shall be thirty-five per cent. Provisions of law inconsistent with the provisions hereof are hereby suspended until June 30, 1953.

Amend the totals for the department of public welfare as follows:

Total for public welfare	$3,850,497.18
Less revenue	221,500.00
Net appropriations	$3,628,997.18

The committee further recommends the adoption of the following figures for total net appropriation $14,354,423.28.

The committee further recommends that the House recede from its position of non-concurrence, that the Senate recede from adoption of its amendments in so far as the insertion of sections after section 1, and that the House and Senate adopt the following amendments to the bill:

Amend said bill by inserting after section 1 the following new sections:

2. *Salary Adjustment Fund.* Whereas the appropriation for personal services in state departments and institutions for the year ending June 30, 1953 includes an annual increment for each position under the classification law, and whereas, upon occasion, due to vacancies and personnel turnover, salaries and wages and increment increases as provided by the appropriations as well as longevity are not needed for said positions, whenever a salary or longevity pay increment is not granted due to personnel turnover or due to the replacement of an employee with another employee at a lesser salary, or for other reasons, the department of administration and control shall immediately transfer from the departmental appropriations such portions of said salaries as will be unnecessary or not required to a special account to be known as the salary adjustment fund. This fund shall be available only for transfer to departments or institutions for emergency personnel needs or the employment of temporary help, subject to the approval of the governor and council.

3. *Printing.* No funds of the state of New Hampshire whether appropriated hereunder or otherwise available, shall be expended for printing publications or binding of any matter not expressly authorized to be printed, published or bound, by existing statute; and no such expressly authorized printing, publication or binding shall be contracted for except upon express approval as to format, artistic layout, and cost, by

the governor and council, or by a person or persons appointed by the governor and council for that purpose.

4. *Takes Effect.* This act shall take effect as of July 1, 1952.

ANSEL. N. SANBORN,
JOHN PILLSBURY,
WM. P. BARON,
Conferees on the part of the House.

JOHN W. DOLE,
BURLEIGH R. DARLING,
Conferees on the part of the Senate.

Mr. Sanborn of Wakefield moved that the reading of the report be dispensed with and that the House agree to the report of the Committee of Conference.

The question being on the motion of the member from Wakefield.

(Discussion ensued)

Mr. Sanborn of Wakefield spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 387, An act providing for non-partisan municipal elections in the city of Manchester, having considered the same, recommend that the Senate recede from its position in adopting its amendment and concur with the House in the passage of the bill with its amendment.

STANLEY M. BROWN,
MARYE W. CARON,
Conferees on the part of the Senate.

JOHN PILLSBURY,
LOUIS I. MARTEL,
MARION B. CORLISS,
Conferees on the part of the House.

On motion of Mr. Pillsbury of Manchester the House voted to agree to the Committee of Conference report.

On motion of Mr. Pillsbury of Manchester the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Pillsbury of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 42, Joint resolution to establish an interim commission to study legislation designed to protect the public from the results of motor vehicle accidents on our highways, reported the same with the recommendation that the joint resolution be referred to the Legislative Council.

The report was accepted, and the recommendation of the committee adopted.

Mr. Pillsbury of Manchester, for the Committee on Appropriations, to whom was referred Senate Joint Resolution No. 6, Joint resolution creating an interim commission to study financial support of registries of deeds and registries of probate and related matters, reported the same with the recommendation that the joint resolution be referred to the Legislative Council.

The report was accepted and the recommendation of the committee adopted.

Mr. Pillsbury of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 36, Joint resolution providing for a committee to investigate legislative procedure, reported the same with the recommendation that the joint resolution be referred to the Legislative Council.

The report was accepted and the recommendation of the committee adopted.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to adopt the following concurrent resolution in the adoption of which it asks the concurrence of the House of Representatives.

Concurrent Resolution

Thanking the city of Concord, the superintendent of the State House, the adjutant-general, and the heads of departments.

Whereas, the city of Concord has been very cooperative in allowing the use of their city council chamber rooms for hearings, and

Whereas, the Superintendent of the State House has given the Legislature the privilege of the use of hearing rooms for their committee work, and

Whereas, Adjutant-General Charles F. Bowen has allowed the Legislature the facilities of the state armory for the same purpose, and

Whereas, the heads of the various departments have given up space that their rooms might be available for the use of committees,

Now, Therefore be it Resolved by the House of Representatives, the Senate concurring, That the Legislature of New Hampshire hereby extends its thanks and appreciation of the courtesies shown them by the city of Concord, the Superintendent of the State House, Adjutant-General Charles F. Bowen and the heads of the various departments, and be it further

Resolved, That a copy of this concurrent resolution be transmitted to each of the above named.

The question being on the concurrent resolution.

(Discussion ensued)

Mr. Scamman of Stratham spoke in favor of the concurrent resolution.

On a *viva voce* vote the concurrent resolution was adopted.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 440, An act relative to the dissolution of the State Veterans Council.

Amend the bill by striking out the title and substitute in place thereof the following new title: "An act relative to the dissolution of the State Veterans' Council".

Further amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Repeal.* Chapter 219-A of the Revised Laws, as inserted by chapter 190 of the Laws of 1943 as amended, is hereby repealed.

2. *Appropriation.* The sum of three thousand eight hundred dollars ($3,800.00) is hereby appropriated to be expended during the period July 1 to September 30 inclusive, for the purpose of winding up the affairs of the State Veterans' Council.

3. *Records.* The records of the State Veterans' Council are hereby transferred to the department of public welfare.

4. *Takes Effect.* This act shall take effect on October 1, 1951.

Mr. Black of Bennington moved that the House non-concur in the amendments sent down from the Honorable Senate and that a Committee of Conference be appointed.

The question being on the motion of the member from Bennington.

On a *viva voce* vote the motion prevailed, and the Speaker appointed as members of such committee, on the part of the House, Messrs. Black of Bennington, Colcord of Plaistow and Gagnon of Manchester.

The message further announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

House Bill No. 75, An act relative to the effective date for collection of fees for inspections of weights and measures.

The President appointed as members of such committee, on the part of the Senate, Senators Whittier and Hayes.

House Bill No. 451, An act relating to the election of representatives to the General Court.

The President appointed as members of such committee, on the part of the Senate, Senators Brown and Otis.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution, sent up from the House of Representatives:

House Bill No. 111, An act relative to conservation and the control of lakes, ponds, rivers and streams for public use and benefits.

House Bill No. 416, An act relative to retirement benefits for court stenographers.

House Joint Resolution No. 17, Joint resolution relating to the preservation of historic military flags.

The message also announced that the Senate had voted to adopt the report of the Committee of Conference on House Bill No. 398, An act establishing a Tri-State Authority to enable the collective construction and operation of institutions in Maine, New Hampshire and Vermont.

Resolutions

Mr. Ferguson of Pittsfield offered the following resolution:

Resolved, That the committee on the assignment of rooms be extended the thanks of the House for its efficient work in carrying on its duties during the session in such an economical manner.

The question being on the resolution.

(Discussion ensued)

Mr. Ferguson of Pittsfield spoke in favor of the resolution.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Sanborn of Wakefield the House recessed at the call of the Speaker.

After Recess

Reconsideration

Mr. Sanborn of Wakefield moved that the House reconsider its vote whereby the House voted to agree to the Committee of Conference report to House Bill No. 446.

On a *viva voce* vote the motion did not prevail.

Mr. Sanborn of Wakefield moved that the House reconsider its vote whereby the House voted to agree to the Committee of Conference report to House Bill No. 447.

On a *viva voce* vote the motion did not prevail.

Resolution

Mr. Willey of Campton offered the following resolution:

Whereas, we have learned with regret of the unfortunate accident which has laid low our fellow representative from Lisbon, James E. Collins, and

Whereas, we are hoping for the early return to our midst of that veteran legislator, Now, therefore be it

Resolved, That, we the mambers of the House of Representatives wish to offer our condolences to Dr. Collins, with a wish that he will soon recover his usual good health and be it further

Resolved, That the Clerk be instructed to transmit a copy of these resolutions to Dr. Collins.

On a *viva voce* vote the resolution was adopted.

Ruling of the Chair on Personal Privilege

The right of a member to take the floor on a matter of personal privilege should be confined to a reply to remarks or charges which have been made against him in his capacity as a representative.

In order to furnish a basis for a question of personal privilege, a charge against a member must present a specific reflection upon his representative character in such a way as to affect his standing as a representative.

Comments of a general nature on matters not affecting a representative, personally, are not in order under personal privilege.

On motion of Mr. Wadleigh of Milford the House adjourned from the morning session.

The House was immediately called to order in afternoon session.

Afternoon

On motion of Mrs. Landers of Keene at 3:01 o'clock the House adjourned.

THURSDAY, AUGUST 30, 1951

The House met according to adjournment.

Prayer was offered by guest Chaplain Rev. Edward F. Angluin, O.S.B., Professor of Theology, St. Anselm's College.

Let us Pray

Merciful Father, who rewards Thy children bountifully, bless our state legislature which has labored for the good of

Thy people in New Hampshire, grant Eternal rest to our deceased Legislators, protect our absent Legislators from all harm. And direct us always to follow Thy ways, so that we may deserve the Eternal reward which Thou hast promised to those who love Thee. Through Our Lord, Jesus Christ.

Amen.

Leaves of Absence

Mrs. Lareau of Manchester was granted leave of absence for the day on account of important business.

Mr. Ingraham of Portsmouth was granted leave of absence for the day on account of death in the family.

Introduction of a Bill

The following bill was introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By the Committee on Rules (sponsored by Mr. Sanborn of Wakefield), House Bill No. 461, An act relating to the general funds of the state. Referred to the Committee on Appropriations.

Mr. Sanborn of Wakefield moved that the rules be suspended to dispense with the printing and reference to committee.

The question being on the motion to suspend rules.

(Discussion ensued)

Mr. Sanborn of Wakefield spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

On motion of Mr. Sanborn of Wakefield the rules were suspended to allow the third reading and final passage, by title only at the present time.

Read a third time and passed and sent to the Senate for concurrence.

Engrossed Bills

Mrs. Shields of Berlin, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

House Joint Resolution No. 17, Joint resolution relating to the preservation of historic military flags.

House Joint Resolution No. 46, Joint resolution in favor of the estate of Charles W. Bonney.

House Bill No. 111, An act relative to conservation and the control of lakes, ponds, rivers and streams for public use and benefits.

House Bill No. 199, An act relative to the salaries of the Grafton county commissioners.

House Bill No. 416, An act relative to retirement benefits for court stenographers.

The report was accepted.

Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 455, An act relative to bond for and duties of the state treasurer, having considered the same, recommend that the Senate recede from its position in adopting its amendments, that the House recede from its position of non-concurrence and that the Senate and the House adopt the following amendment to the bill.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *State Treasurer.* Amend section 2 of chapter 22 of the Revised Laws as amended by section 1 of chapter 107 of the Laws of 1949 by striking out said section and inserting in place thereof the following: 2. *Bonds.* Before entering upon the duties of his office he shall give bond in the sum of two hundred thousand dollars, with sufficient sureties, to be approved by the governor and council, conditioned for the faithful discharge of the duties of his office, including his duties as custodian of trust funds of state institutions and of the several funds of the state employees' retirement, teachers' retirement, policemen's retirement, and firemen's retirement systems. Said bond shall be deposited and safely kept in the office of the secretary. Upon the failure of the legislature to elect a state treasurer on the first Wednesday of the biennium the state treasurer previously elected shall give a new bond in the sum of two hundred thousand dollars with sureties, to be approved by the governor and council, which bond shall be conditioned upon the satisfactory discharge of the duties of said office until a successor is elected, and shall be deposted and safely kept in the office of the secretary of state.

2. *Working Capital.* Amend section 5-a of chapter 22 of the Revised Laws, as inserted by section 2 of chapter 31 of the Laws of 1943, by striking out said section and inserting in place thereof the following: 5-a. *Purposes.* The governor is hereby authorized to draw his warrant with the advice and consent of the council, upon any money in the general fund of the treasury, for departments other than public works and highways or fish and game, for such sums to be set apart from time to time to the credit of the state treasurer as a working capital fund as may appear to the governor and council necessary and proper upon recommendation of the comptroller for such of the following purposes as the governor and council may direct: The prompt payment of bills for materials, equipment and supplies purchased upon purchase orders issued by the director of purchase and property and bills incurred for liquor purchased by the state liquor commission under the provisions of chapter 170, Revised Laws, as amended, on which discounts are available upon such prompt payment; the payment of bills for postage stamps; the payment of salaries and expenses of officers and of persons employed in the state service, as determined by the director of personnel, on payrolls certified by the heads of the said departments, institutions or agencies or their duly authorized deputies and by the director of personnel; any payment of direct aid to welfare recipients under programs administered by the department of public welfare. The governor is likewise (for working capital) hereby authorized to draw his warrant, with the advice and consent of the council, upon any money in the highway fund for the following expenditures for the public works and highways department, or upon any money in the fish and game fund for the following expenditures for the fish and game department: The prompt payment of bills for materials, equipment and supplies purchased upon purchase orders issued by the director of purchase and property on which discounts are available upon such prompt payment; for the payment of bills for postage stamps, the payment of salaries and expenses of officers and of persons employed in the state service for the respective departments as determined and certified as above provided. No other payments shall be made from said working capitals except as provided for herein. This section shall not authorize the manifesting, approval, or payment of any claims in excess of appro-

priations or for purposes for which appropriations do not exist. A warrant duly executed under this section shall be a sufficient warrant under section 9 of chapter 22 of the Revised Laws.

3. *Revolving Funds.* The governor is hereby authorized to draw his warrant, with the advice and consent of the council, upon any money in the general fund of the treasury for sums to be delivered into the custody of the responsible heads of departments and institutions for their use as petty cash revolving funds within their departments or institutions. The authorized balances and number of revolving funds shall be kept at minimum levels consistent with efficiency, and shall be carried as a charge against the departments or institutions concerned. No revolving fund shall be authorized by the governor and council except upon written application establishing the necessity for such fund consistent with the efficient operation of the applicant department. Any revolving fund authorized hereunder for the highway department or for the fish and game department shall be established from the highway fund or the fish and game fund, respectively. The heads of such departments and institutions shall be personally responsible for such moneys while in revolving funds, and shall be authorized to use the same as a petty cash fund only for such departmental purposes as are authorized by law. No payment from a revolving fund shall bind the state unless and until the specific payment has been pre-audited by the director of accounts and warranted by the governor with the advice and consent of the council. After such audit and warrant, the treasurer shall be authorized to issue out public funds to restore the authorized balance of the revolving fund concerned. Department heads responsible for revolving funds shall be bonded in sums sufficient to protect the state against loss of any revolving funds the authorized balances of which exceed one thousand dollars. All existing revolving funds shall lapse upon the date of the first meeting of the governor and council in 1953, unless renewed at that meeting and revolving funds thereafter authorized hereunder shall similarly lapse on the date of the first meeting of the governor and council in each biennium thereafter, unless then renewed and unless sooner reduced or lapsed by resolution of the governor and council. Upon such reduction or lapse, the responsible head of the department or institution concerned shall pay the revolving fund moneys into the

treasury and the treasurer shall credit the same against the amount standing as a charge to the department or institution concerned.

4. *Takes Effect.* This act shall take effect as of October 1, 1951.

NORMAN A. McMEEKIN,
CHARLES A. HOLDEN,
CHARLES GRIFFIN,
Conferees on the part of the House.

CHARLES H. WHITTIER,
STANLEY M. BROWN,
Conferees on the part of the Senate.

On motion of Mr. McMeekin of Haverhill the House voted to agree to the Committee of Conference report.

Committee of Conference Report

The second Conference Committee, to whom was referred Senate Bill No. 96, An act relating to public construction and contracts for State of New Hampshire, having considered the same, recommend that the Senate recede from its position of non-concurrence in the amendments adopted by the House and that the House recede from its adoption of its amendments, and further recommend that the Senate and House adopt the following amendment to said bill:

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2. *Board of Appeal.* Amend section 3 of chapter 214 of the Revised Laws by striking out said section and inserting in place thereof the following: 3. *Appeal.* Within fifteen days after such wage rates shall be determined in accordance with the provisions of the preceding sections 1 and 2, such rates may be appealed by an association of employees or employers, any two citizens of the state, or any public awarding agency, such appeal to be heard before a board of three, constituted as follows: The governor and council shall appoint two members for a term of two years each. Employers and organized employees in the construction industry shall each be represented on said board. The third member of said board shall be appointed by the first two members, and in case the two cannot agree on the third member within thirty days after their

own appointment, said third member shall be appointed by the governor and council. Said appeal board shall convene within three days after receiving any appeal hereunder, Saturday, Sunday and holidays excepted, shall hold a public hearing, and furnish their decision to the appellant within forty-eight hours after the adjournment of the meeting.

Further amend said bill by striking out section 3 and by by renumbering section 4 to read section 3.

CHARLES H. WHITTIER,
RALPH A. BLAKE,
Conferees on the part of the Senate.

WILLIAM N. SHAHEEN,
WM. M. FALCONER,
EARLE A. REMICK,
Conferees on the part of the House.

Mr. Shaheen of Dover moved that the House agree to the report of the second Committee of Conference.

The question being on the motion of the member from Dover.

(Discussion ensued)

Messrs. Shaheen of Dover, Chandler of Warner, and Sanborn of Wakefield spoke in favor of the motion.

Mr. Martel of Manchester spoke against the motion.

On a *viva voce* vote the report was agreed to.

Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 413, An act conferring jurisdiction upon the superior court of actions founded on express contract, having considered the same, recommend that the House recede from its position of non-concurrence and that the House concur with the Senate in the passage of the bill with its amendments.

ROBERT P. TILTON,
NORMAND P. PELLETIER,
JAMES I. HINES,
Conferees on the part of the House.

CHARLES HARTNETT,
STANLEY M. BROWN,
Conferees on the part of the Senate.

On motion of Mr. Tilton of Laconia, Ward 4, the House voted to agree to the report of the Committee of Conference.

Committee of Conference Report

The Committee of Conference, to whom was referred Senate Bill No. 68, An act to authorize housing authorities to undertake projects to assure the availability of dwellings for persons engaged in national defense activities, having considered the same, wish to report that they are unable to agree and ask to be discharged as a Committee of Conference.

THOMAS B. O'MALLEY,
JOHN W. DOLE,
Conferees on the part of the Senate.

GARDNER C. TURNER,
STEWART LAMPREY,
C. MURRAY SAWYER,
Conferees on the part of the House.

On motion of Mr. Chandler of Warner the House voted to agree to the report of the Committee of Conference.

Mr. Chandler of Warner moved that a new Committee of Conference be appointed.

The question being on the motion of the member from Warner.

On a *viva voce* vote the motion did not prevail.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of Representatives in the passage of the following concurrent resolutions, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

Amend the resolution by striking out wherever they appear the words and figures "Thursday, August 23rd" and substituting in place thereof the words and figures, Friday, August 31, so that said resolution shall read as follows:

Whereas, it appears that all necessary legislative work may be accomplished by Friday, August 31, next, therefore be it

Resolved, by the House of Representatives, the Senate concurring, That the present session of the legislature be brought to final adjournment on Friday, August 31, next, at five o'clock in the afternoon.

Be it Further Resolved, That on that date all reports, bills and joint resolutions, with the exception of such as have been referred to the next legislature be indefinitely postponed.

Mr. Sanborn of Wakefield moved that the House concur in the amendment sent down from the Honorable Senate.

The question being on the motion of the member from Wakefield.

(Discussion ensued)

Messrs. Sanborn of Wakefield, Wadleigh of Milford, Baron of Claremont, Perkins of Concord, Turner of Keene, Lea of Pembroke, Geisel of Manchester and Mesdames Cooper of Nashua, Brungot of Berlin and Jackson of Dublin spoke in favor of the motion.

Mr. Pickett of Keene spoke against the motion.

Mr. Barry of Wilton moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to concur in Senate amendment to adjournment resolution.

On a *viva voce* vote the motion prevailed.

The message also stated that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 453, An act relative to membership of the judicial council, duties of clerks of the Senate and House of Representatives, naming of certain bridges over the Blue Star Memorial Highway and Baer Pond, relative to the childrens' study home, relative to military service credit for teachers, military service credit for members of state employees retirement system, relative to motor vehicle fines and forfeitures, relative to optional allowances under the employees retirement system, and relative to a meeting of the city council of Portsmouth on August 8, 1951.

Amend the title of the bill by striking out the word "and" after the word "Pond" and by adding after the word "home" the following: relative to military service credit for teachers, military service credit for members of state employees retirement system, relative to motor vehicle fines and forfeitures, relative to optional allowances under the employees retirement system, and relative to a meeting of the city council of Portsmouth on August 8, 1951, so that said title as amended shall read as follows:

An act relative to membership of the judicial council, duties of clerks of the Senate and House of Representatives, naming of certain bridges over the Blue Star Memorial Highway and Baer Pond, relative to the childrens' study home, relative to military service credit for teachers, military service credit for members of state employees retirement system, relative to motor vehicle fines and forfeitures, relative to optional allowances under the employees retirement system, and relative to a meeting of the city council of Portsmouth on August 8, 1951.

Amend the bill by adding after section 6 the following new section 7:

7. *Military Service Credit for Teachers.* Amend paragraph IV of section 4 of chapter 136-B of the Revised Laws as inserted by section 1 of chapter 6 of the Laws of 1950 by striking out said paragraph and inserting in place thereof the following: IV. Anything herein or in chapter 104 of the Laws of 1947 to the contrary notwithstanding, any teacher who prior to the date of establishment terminated his employment in order to enter directly into the armed forces of the United States or other emergency wartime service of the United States approved by the board of trustees, and who is a teacher or state employee in service on the date of establishment, shall be entitled to prior service credit for the period of such military or other wartime service, provided he becomes a member of the retirement system within one year after the date of establishment or a member of the state employees' retirement system prior to the date of establishment.

Further amend the bill by adding after section 7 the following new section 8:

8. *State Employees Retirement System.* Amend section 4, chapter 27-A of the Revised Laws as inserted by chapter

183, Laws of 1945, by adding at the end thereof the following new paragraph: IV. Any employee who after the date of establishment terminated his employment in order to enter directly into the armed forces of the United States or other emergency wartime service of the United States approved by the board of trustees, shall be entitled to service credit for the period of such military or other wartime service, provided he again becomes an employee within a year after the termination of such military or other wartime service, unless he is prevented from such reemployment by virtue of disability incurred during the period of such military or other wartime service, and provided further that he elects to make all payments to the system he would have been required to make had he been in the employ of the state during the period of such military or other wartime service.

Further amend the bill by adding after section 8 the following new section 9:

9. *Motor Vehicle Fines and Forfeitures.* Amend section 30 of chapter 118 of the Revised Laws as amended by chapter 65 of the Laws of 1945, chapter 94 of the Laws of 1949 and section 15, chapter 163, Laws of 1951, by striking out said section and inserting in place thereof the following: 30. *Disposition of.* All fees, fines and frfeitures received by any person under the provisions of any laws of the state relative to the use and operation of motor vehicles, shall be paid to the commissioner within seven days after the receipt thereof, and all moneys received by the commissioner shall be paid monthly to the state treasurer. Provided, however, that from each fine and forfeiture collected by a municipal court, there shall be deducted five dollars and ten per cent of that part of the fine which exceeds five dollars, and the same shall be disposed of as provided in section 12, chapter 377 of the Revised Laws.

Further amend the bill by adding after section 9 the following new section 10:

10. *Optional Allowances.* Amend chapter 27-A of the Revised Laws as inserted by chapter 183, Laws of 1945, as amended by Laws of 1947, chapters 65, 113, 124, 131 and 276 by striking from the section after the word "later" the words, and if the member dies before such election becomes effective, the benefits payable on his account shall be the same as

though his election had not been filed and he had not been retired, and insert in place thereof the following: "Unless the member dies before the expiration of the said 60 days and if such member shall die during the 60 days period the optional benefit elected shall become effective as of the date of death." so that said section as amended shall read as follows:

10. *Optional Allowances.* Until the first payment on acount of a retirement allowance becomes normally due, any member may elect to convert the retirement allowance otherwise payable on his account after the retirement into a retirement allowance of equivalent actuarial value under one of the optional forms named below; provided, however, that no election of an optional benefit shall be effective until sixty days after the date of the filing of the election thereof with the board of trustees, or until sixty days after retirement, whichever is the later, unless the member dies before the expiration of the said sixty days an if such member shall die during the sixty days period the optional benefit elected shall become effective as of the date of death.

On motion of Mr. Perkins of Concord the House voted to concur in the amendments sent down from the Honorable Senate.

Committee of Conference Report

The Conference Committee, to whom was referred House Bill No. 419, An act relating to the taxation of tobacco products, reported that they are unable to agree with Senate conferees, and ask that they be discharged and that a new Committee of Conference be appointed.

PERKINS BASS,
J. H. GEISEL,
JOHN KEARNS,
Conferees on the part of the House.

CHARLES H. WHITTIER,
LENA A. READ,
Conferees on the part of the Senate.

On motion of Mr. Bass of Peterborough the House voted to agree to the report of the Committee of Conference.

The Speaker appinted as members of the new Committee of Conference, on the part of the House, Messrs. Spofford of Jaffrey, Ashley of Lebanon and Kean of Manchester.

Resolutions

Mrs. Dondero of Portsmouth offered the following resolution:

Whereas, Friday, August 31 is the forty-seventh wedding anniversary of Austin H. Reed, Representative from Goffstown and Chaplain of our State Legislature, therefore be it

Resolved, That we, the members of the House of Representatives of the New Hampshire State Legislature, extend our congratulations to our fellow member and his wife on the happy occasion and our best wishes for many more years of happy married life, and be it further

Resolved, That the Clerk of the House transmit to Chaplain Reed a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

Mr. Hill of Conway offered the following resolution:

Whereas, today the thirtieth day of August, is the birthday of William O. Emerson of Dalton, who has served as a member of the House of Representatives for several sessions, and

Whereas, tomorrow the thirty-first day of August is the birthday of Sydney B. Converse, a member of this House from Claremont for several sessions, and

Whereas, both of these illustrious gentlemen are celebrating their sixty-eighth birthdays, now therefore be it

Resolved, That we, the member of the House of Representatives, wish to extend our congratulations to both of these gentlemen with a wish that they may celebrate many more birthdays.

On a *viva voce* vote the resolution was adopted.

Reconsideration

Mrs. Dondero of Portsmouth moved that the House reconsider its vote whereby the House voted to concur in the amendments to House Bill No. 453, sent down from the Honorable Senate.

The question being on the motion to reconsider.

(Discussion ensued)

Mrs. Dondero of Portsmouth, Messrs. Foote of Portsmouth, Perkins of Concord, Baron of Claremont and Pillsbury of Manchester spoke in favor of the motion.

On a *viva voce* vote the motion to reconsider prevailed.

The question being on the motion to concur in the Senate amendment.

(Discussion ensued)

Messrs. Pillsbury of Manchester and Perkins of Concord spoke against the motion.

On a *viva voce* vote the motion to concur did not prevail.

Mr. Baron of Claremont moved that the House non-concur and that a Committee of Conference be appointed.

On a *viva voce* vote the motion prevailed, and the Speaker appointed as members of such committee, on the part of the House, Messrs. Perkins of Concord, Durell of Portsmouth and Baron of Claremont.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 459, An act relating to the listing of tax exempt property and to the effective date for the collection of fees for inspection of weights and measures.

Amend section 1 of the bill by adding after the word "purposes" the following new sentences: *Weights and Measures.* Amend section 7 of chapter 199, Laws of 1951, by striking out the word "July" and inserting in place thereof the word, October, so that said section as amended shall read as follows: 7. *Takes Effect.* This act shall take effect as of October 1, 1951, so that said section as amended shall read as follows: 1. *Property To Be Listed.* Amend chapter 75 of the Revised Laws by inserting after section 1 the following new section: 1-a. *Additional List.* At the time of making the list of polls and the invoice of estate liable to be taxed the selectmen shall also make an invoice of all lands, buildings and structures which, but for the tax exemption laws of the state, would be taxable as real estate, including all land, but ex-

cluding the buildings of the United States, state, county, town, school district or any political subdivision thereof used for public or educational purposes. *Weights and Measures.* Amend section 7 of chapter 199, Laws of 1951, by striking out the word "July" and inserting in place thereof the word, October, so that said section as amended shall read as follows: 7. *Takes Effect.* This act shall take effect as of October 1, 1951.

Further amend the bill by changing the title to read as follows: effective date for collection of fees for inspections of weights and measures.

On motion of Mr. Turner of Keene the House voted to concur in the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted not to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 440, An act relative to the dissolution of the State Veterans Council.

The message further announced that the Senate had voted to adopt the Committee of Conference report on the following entitled bills:

House Bill No. 387, An act providing for non-partisan elections in the city of Manchester.

House Bill No. 61, An act providing for the assessment and collection of a special poll tax for state purposes.

House Bill No. 446, An act making appropriation for the expenses of the State of New Hampshire for the year ending June 30, 1952.

House Bill No. 447, An act making appropriation for the expenses of the State of New Hampshire for the year ending June 30, 1953.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills and joint resolutions:

House Bill No. 199, An act relative to the salaries of the Grafton county commissioners.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 68, An act relating to the taxation of legacies and succession.

Amend Section 1 of House Bill No. 68 by striking out the words "in this state or" where they appear in lines 6 and 7 and line 29 of said bill and by inserting after the word "state" in line 7 the words "other than this state," and by inserting after the word "state" in line 30 the words "other than this state," so that said section as amended shall read as follows:

1. *Legacy and Succession Tax.* Amend section 1 of chapter 87 of the Revised Laws as amended by adding after the words "public municipal purposes" and before the words "shall be subject" the following: "or to or for the use of educational, religious, cemetery or other institutions, societies or associations of public charity in any state other than this state, territory or country the laws of which, at the time of the death of the decedent, either (1) do not impose a transfer tax or death tax of any kind or (2) grant an exemption similar to that hereby provided to the domiciliaries of such state, territory or country in favor of property passing to charities in this state," so that said section as amended shall read as follows: 1. *Taxable Property and Tax Rate.* All property within the jurisdiction of the state, real or personal, and any interest therein, belonging to domiciliaries of the state, and all real estate within the state, or any interest therein, belonging to persons who are not domiciliaries of the state, which shall pass by will, or by the laws regulating interstate succession, or by deed, grant, bargain, sale or gift, made in contemplation of death, or made or intended to take effect in possession or enjoyment at or after the death of the grantor or donor, to any person, absolutely or in trust, except to or for the use of the husband, wife, father, mother, lineal descendant, or adopted child of a decedent, or for the care of cemetery lots, or to a city or town in this state for public municipal purposes, or to or for the use of educational, religious, cemetery, or other institutions, societies or associations of public charity in any state other than this state, territory

or country the laws of which, at the time of the death of the decedent, either (1) do not impose a transfer tax or death tax of any kind or (2) grant an exemption similar to that hereby provided to the domiciliaries of such state, territory or country in favor of property passing to charities in this state, shall be subject to a tax of eight and one-half per cent of its value, for the use of the state.

On motion of Mr. Hurd of Concord the House voted to concur in the Senate amendments, sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 15, An act relative to the filing of campaign receipts and expenditures of political committees, having considered the same, recommended that the following joint resolution be adopted in place of the said bill:

"*Whereas*, the members of this General Court are keenly interested in the improvement of the election laws and their administration, and

"*Whereas*, time does not permit the full and adequate consideration of proposed remedies submitted at this session as House Bill No. 15,

"*Now, Therefore, Be it Resolved by the Senate and House of Representatives in General Court convened*, That the Attorney General, ninety days before the primary and general elections take place in 1952, shall construe and so nearly as possible fully interpret the provisions of chapter 42 of the Revised Laws relating to political expenditures, advertising and contributions, giving particular reference to those points of controversy as demonstrated in the course of the 1950 primary and election, and

"That such interpretation and construction shall be printed in pamphlet form and distributed through the office of the secretary of state to all candidates whose names appear in the records of the said secretary at least one week prior to the primary,

"That there is hereby appropriated the sum of one thousand dollars to cover this cost of printing and distribution."

R. WAYNE CROSBY,
L. M. PICKETT,
FRED A. JONES,
Conferees on the part of the House.
STANLEY M. BROWN,
GEORGE W. TARLSON,
Conferees on the part of the Senate.

On motion of Mr. Pickett of Keene the House voted to agree to the Committee of Conference report.

Introduction of House Joint Resolution

Mr. Pickett of Keene moved that the rules be suspended to allow the introduction of a joint resolution.

The question being on the motion of the member from Keene.

(Discussion ensued)

Messrs. Pickett of Keene and Pillsbury of Manchester spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

The following joint resolution was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Pickett of Keene:

House Joint Resolution No. 47, Joint resolution relative to interpretation of chapter 42 of the Revised Laws. Referred to the Committee on Appropriations.

On motion of Mr. Pickett of Keene the rules were suspended and printing dispensed with.

On motion of Mr. Sanborn of Wakefield rules were suspended to dispense with the 48-hour rule for public hearing.

On motion of Mr. Turner of Keene the rules were suspended to allow the introduction of a joint resolution.

The following joint resolution was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Turner of Keene:

House Joint Resolution No. 48, Joint resolution relative

to discharge of an interim commission and transfer of funds. Referred to the Committee on Appropriations.

On motion of Mr. Turner of Keene the rules were suspended, printing and reference to committee dispensed with and the bill put upon its third reading and final passage, by title only, at the present time.

Read a third time and passed and sent to the Senate for concurrence.

Resolution

Mr. Young of Pittsfield offered the following resolution:

Be It Resolved, That the bill entitled, "An act to impose a transfer and use tax," now on the table in the Committee on Rules be referred to the Legislative Council for study during the interim preceding the 1953 session of the General Court.

The question being on the resolution.

(Discussion ensued)

Messrs. Young of Pittsfield, Malley of Somersworth, Sanborn of Wakefield, Pickett of Keene, Barry of Wilton and Mrs. Brungot of Berlin spoke in favor of the resolution.

Mr. Turner of Keene spoke against the resolution.

On a *viva voce* vote the resolution was adopted.

Mrs. Brungot of Berlin offered the following resolution:

Whereas, the Honorable Charles W. Tobey, United States Senator from the State of New Hampshire, is seriously ill, and

Whereas, Senator Tobey has served in various offices, including Representative from the town of Temple for several terms, Speaker of the New Hampshire House of Representatives in 1919, President of the State Senate in 1925, Governor of New Hampshire in 1929, member of Congress 1933-1939 and United States Senator since 1939, therefore be it

Resolved, That we pay tribute to our Senator for his many years of public service and express our appreciation of his sterling worth, his sincerity and integrity, and extend our heartfelt sympathy to him in his illness and our best wishes for a speedy return to health, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Senator Tobey.

On a *viva voce* vote the resolution was adopted.

Mr. Angus of Claremont offered the following resolution:

Whereas, today, August 30th, is the 91st birthday of Reuben S. Moore, Representative from Bradford, and member of the Public Works Committee, therefore be it

Resolved, That we the members of the House of Representatives, hereby extend to Mr. Moore our heartiest congratulations on his birthday and our best wishes for a happy birthday today and for many years to come, and be it further

Resolved, That the Clerk transmit to Mr. Moore a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Sanborn of Wakefield the House took a recess until 2:45 o'clock.

(After Recess)

Mrs. Holmes of Amherst, for the Committee on Engrossed Bills, reported they had examined and found correctly engrossed the following entitled bill:

House Bill No. 61, An act providing for the assessment and collection of a special poll tax for state purposes.

The report was accepted.

Introduction of Joint Resolution

The following joint resolution was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules: House Joint Resolution No. 49, Joint resolution in favor of John Twombly and others. Referred to the Committee on Appropriations.

On motion of Mr. Sanborn of Wakefield the rules were suspended to dispense with the printing and reference to committee, and that the bill be put upon its third reading and final passage, by title only, at the present time.

Read a third time and passed, and sent to the Senate for concurrence.

On motion of Mr. Sanborn of Wakefield the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Hart of Wolfeboro, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 47, Joint resolution relative to interpretation of chapter 42 of the

Revised Laws, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted, and the joint resolution ordered to a third reading.

On motion of Mr. Sanborn of Wakefield the rules were suspended to allow the third reading and final passage, by title only, at the present time.

Read a third time and passed and sent to the Senate for concurrence.

Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 453, An act relative to membership of the judicial council, duties of clerks of the Senate and House of Representatives, naming of certain bridges over the Blue Star Memorial Highway and Baer Pond, and relative to the children's study home, having considered the same report the same with the following recommendations:

The committee recommends that the House recede from its position of non-concurrence with the amendments adopted by the Senate in so far as said amendments refer to new sections 7, 8 and 9 and that the House concur in said amendments.

The Committee further recommends that the Senate recede from its position in adopting its amendments to the title of said bill and to its amendments relative to new sections 10 and 11, that the House recede from its position of non-concurrence in said amendments and that the House and Senate adopt the following amendments to said bill:

Amend the title of said bill by striking out the same and inserting in place thereof the following: An act relative to membership of the judicial council, duties of clerks of the Senate and House of Representatives, naming of certain bridges over the Blue Star Memorial Highway and Baer Pond, relative to the children's study home, relative to military service credit for teachers, military service credit for members of the state employees retirement system, motor vehicle fines and forfeitures, and relative to optional allowances under the employees retirement system.

Amend said bill by inserting after section 9, the following new section:

10. *Employees Retirement System Optional Allowances.* Amend the first paragraph of section 10 of chapter 27-A of the Revised Laws as inserted by chapter 183, Laws of 1945, by striking out said paragraph and inserting in place thereof the following:

Until the first payment on account of a retirement allowance becomes normally due, any member may elect to convert the retirement allowance otherwise payable on his account after retirement into a retirement allowance of equivalent actuarial value under one of the optional forms named below: provided, that no election of an optional benefit shall be effective until sixty days after the date of the filing of the election thereof with the board of trustees, or until sixty days after retirement, whichever is the later, unless the member dies before the expiration of the said sixty days and if such member shall die during the sixty day period the optional benefit elected shall become effective as of the date of death.

Further amend said bill by renumbering section 7 to read section 11.

RAYMOND K. PERKINS,
WM. P. BROWN,
CHARLES T. DURELL,
Conferees on the part of the House.

SARA E. OTIS,
STANLEY M. BROWN,
Conferees on the part of the Senate.

On motion of Mr. Perkins of Concord the House voted to agree to the report of the Committee of Conference.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to adopt the report of the Committee of Conference on the following entitled bills:

House Bill No. 15, An act relative to the filing of campaign receipts and expenses by political committees.

House Bill No. 413, An act conferring jurisdiction upon the Superior Court of actions founded on express or implied contract.

House Bill No. 455, An act relative to bond for and duties of the state treasurer.

Senate Bill No. 68, An act to authorize housing authorities to undertake to secure the availability of dwellings for persons engaged in national defense activities.

Senate Bill No. 96, An act relating to public construction and contracts for state of New Hampshire.

The message also announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution, sent up from the House of Representatives:

House Bill No. 56, An act for county cooperative extension work in agriculture and home economics.

House Bill No. 107, An act relative to making appropriations for and on behalf of the New Hampshire Wing, Civil Air Patrol.

House Bill No. 441, An act relative to the computation of mileage allowances for legislative members from certain towns.

House Joint Resolution No. 14, Joint resolution relative to a memorial in honor of John Langdon.

Resolution

Mr. Geisel of Manchester offered the following resolution:

Whereas, we understand that the Honorable Harold Stassen is considering buying a summer home in this state, now therefore be it

Resolved, That the House of Representatives extend to Honorable Harold Stassen a cordial invitation to become a summer resident of this state, and we suggest that before he decides upon a location he consider a home on any of the beautiful lakes in New Hampshire, and be it further

Resolved, That the Governor send a copy of this resolution to the Honorable Mr. Stassen.

The question being on the resolution.

(Discussion ensued)

Mr. Geisel of Manchester spoke in favor of the resolution.

On a *viva voce* vote the resolution was adopted.

Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 419, An act relating to the taxation of tobacco products, having considered the same and being unable to agree, recommend that this committee be dismissed.

STANLEY M. BROWN,
MARYE W. CARON,
Conferees on the part of the Senate.

CARL C. SPOFFORD,
JEROLD M. ASHLEY,
DOMINIC J. KEAN,
Conferees on the part of the House.

On motion of Mr. Spofford of Jaffrey the House voted to agree to the report of the Committee of Conference.

Recess

After Recess

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of Representatives in the passage of the following joint resolutions, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Joint Resolution No. 6, Joint resolution in favor of Paul MacEwen, Treasurer, Horne Nursery, Inc.

Amend said resolution by striking out the words and figures "two thousand dollars ($2,000.00)" and inserting in place thereof the words and figures, one thousand dollars ($1,000.00) so that said resolution as amended shall read as follows:

That the sum of one thousand dollars ($1,000.00) is hereby appropriated to Paul MacEwen to compensate him for deer damage to his property at Manchester. The sum hereby appropriated shall be in full settlement of said claim and shall be a charge upon the fish and game funds.

Mrs. Goodwin of Hollis moved that the House non-concur in the amendment sent down from the Honorable Senate and that a Committee of Conference be appointed.

On a *viva voce* vote the motion prevailed, and the Speaker appointed as members of such committee, on the part of the House, Mr. Brown of Strafford, Mrs. Goodwin of Hollis and Mr. Barry of Wilton.

House Joint Resolution No. 12, Joint resolution in favor of Samuel W. Tenofsky.

Amend the joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of two thousand five hundred three dollars and seven cents ($2,503.07) is hereby appropriated as follows: The sum of one hundred five dollars and seventeen cents to be allowed and paid to Elliot Community Hospital, Keene, New Hampshire; the sum of one thousand three hundred nineteen dollars and forty cents to be allowed and paid the Bullard & Shedd Company, Inc., Keene, New Hampshire; the sum of one hundred eighty dollars to be allowed and paid to Keene Visiting Nurse Association, Keene, New Hampshire; the sum of eight hundred ninety-eight dollars and fifty cents to be allowed and paid to the Keene Clinic, Keene, New Hampshire, expenses on account of an accident suffered by Samuel W. Tenofsky on August 26, 1944 when on duty as a member of the state guard. The governor is hereby authorized to draw his warrants for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

On motion of Mr. Pickett of Keene the House voted to concur in the amendment sent down from the Honorable Senate.

The joint resolution was then sent to the Secretary of State to be engrossed.

House Bill No. 421, An act making appropriations for capital improvements and long term repairs for the state of New Hampshire.

Amend said bill by inserting after section 12 the following new section and by renumbering section 13 to read section 14.

13. *Glencliff Sanatorium.* Any balance of the appropriation made in section 1 of chapter 322 of the Laws of 1949, relative to hospital building addition at the Glencliff Sanatorium, but not exceeding the sum of ten thousand dollars

($10,000.00), may be expended by the trustees of said sanatorium, with the approval of the governor and council, for any other projects at said sanatorium.

On motion of Mr. Tilton of Ward 3, Laconia, the House voted to concur in the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

Recess

After Recess

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 388, An act relative to activities of the forestry and recreation commission in connection with transfer of functions thereto by the reorganization act.

Amend section 3 of said bill by striking out in lines one and two, the words, two hundred seventy-two thousand dollars, and inserting in place thereof the words, one hundred thousand dollars, so that said section as amended shall read as follows:

3. *Appropriation.* A sum not exceeding one hundred thousand dollars is hereby appropriated for projects authorized under section 1 as may be approved by the governor and council.

Amend section 4 of said bill by striking out in lines four and five, the words, two hundred seventy-two thousand dollars, and inserting in place thereof the words, one hundred thousand dollars, so that said section as amended shall read as follows:

4. *Bonds or Notes Authorized.* For the purpose of providing funds necessary for the appropriation made by section 3 the state treasurer is hereby authorized, under the direction of the governor and council, to borrow on the credit of the state from time to time a total of one hundred thousand dollars

for the purpose of carrying into effect the provisions hereof and for that purpose may issue bonds or notes in the name and on behalf of the state of New Hampshire at a rate of interest to be determined by the governor and council. The maturity dates of such bonds or notes shall be determined in each case by the governor and council but in no case shall they be later than 1963. All bonds or notes, except short term loans, issued under the provisions hereof shall be sold (1) at public sealed bidding (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire, the first publication being not less than thirty days prior to the day the bids will be received, and (3) to the highest bidder. The governor and council may reject any or all bids.

Amend section 6 of said bill by striking out in lines six and seven, the words, two hundred seventy-two thousand dollars, and inserting in place thereof the words, one hundred thousand dollars, so that said section as amended shall read as follows:

6. *Short-term Loans.* Prior to the issuance of the bonds or notes hereunder, the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short term loans, which may be refunded by the issuance of the bonds or notes hereunder. Provided, however, that at no one time shall the indebtedness of the state on such short term loans exceed the sum of one hundred thousand dollars.

Further amend the bill by adding at the end of section 3 the following new sentence: No part of the appropriation authorized by section 3 shall be used or expended for purposes of erecting the additional ski facilities at Cannon Mountain which have been previously disapproved by the 1951 General Court in its rejection of House Bill No. 431.

On motion of Mr. Dort of Wakefield the House voted to concur in the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 124, An act providing for a salary increase for state employees and officials.

Amend section 1 of said bill by adding after the words "classified state employees" the words, and all classified seasonal or part time employees who, in at least two consecutive calendar years, have served or shall serve the state, so that said section as amended shall read as follows:

1. *Salary Increase.* Notwithstanding any provisions of the salary scale for classified state personnel all full time, permanent, regularly employed classified state employees, and all classified seasonal or part time employees who, in at least two consecutive calendar years have served or shall serve the state shall be granted an additional annual salary increase based on the following schedule for employees in the following grades as set by the classified plan:

Grades 1 to 5, inclusive	$300
Grades 6 to 12, inclusive	$270
Grades 13, 14, 15	$240
Grades 16, 17	$210
Grades 18 to 21, inclusive	$180
Grades 22 to 24, inclusive	$150
Grades 25 to 27, inclusive	$120
Grades 28 to 30, inclusive	$ 90

Provided, that in the case of such classified personnel who have entered state service subsequent to July 1, 1951, the additional salary provided for herein shall be paid only from the date of such entrance into state service. The additional salary increase shall be deemed to be a part of the regular salary of said classified employees.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *Unclassified Employees and Officials.* All state officials and unclassified employees of the state, regularly employed, other than the members of boards, commissions or committees paid on a per diem basis, which said officials or employees receive from public funds a total gross salary of less than four thousand five hundred dollars per year shall be granted an additional annual salary of two hundred dollars each, except as hereinafter provided. The additional salary increase provided for under this section shall be deemed to be a part of the regular salary of said state officials or unclassified employees. The provisions of this section shall not apply to employees of the University of New Hampshire,

official state court stenographers, deputy registers of probate and other state officials or unclassified employees who are entitled to a salary increase under the provisions of sections 6 and 7 hereof.

Amend section 5 of said bill by striking out the words "provided for by this act" in the fifth line and inserting in place thereof the words, provided for by sections 1 and 2 hereof. so that said section as amended shall read as follows:

5. *Appropriations.* The sum of one million, thirty-seven thousand dollars ($1,037,000) for the fiscal year ending June 30, 1952 and a like sum for the fiscal year ending June 30, 1953 are hereby appropriated for the salary increase provided for by sections 1 and 2 hereof. The governor with the advice and consent of the council is hereby authorized to cause to be transferred from special funds of the following departments and commissions such sums as may be needed to provide the amounts necessary to provide the salary increases hereby authorized for officials and employees of said departments and commission; forestry and recreation commission aerial tramway funds; fish and game department; public works and highways department; hairdressers' board; barbers' board; liquor commission; motor vehicle department; racing commission; teachers' retirement board; public welfare department; and the division of employment security within the department of labor. The balance of sums necessary to provide funds hereunder shall be a charge upon the general funds of the state.

Further amend said bill by inserting after section 5 the following new sections:

6. *State Officials.* In view of the fact that heads of state departments have not had a general salary adjustment since 1947, there is hereby appropriated the sum of twenty-one thousand five hundred dollars ($21,500) for the fiscal year ending June 30, 1952, and a like sum for the fiscal year ending June 30, 1953, for the purpose of providing salary adjustments of the administrative heads of state departments and agencies and their deputies or assistants whose salaries are fixed by statute on the following basis:

I. Each annual salary for each full time position set forth in chapter 249 and 250 of the Laws of 1947, except in cases where an increase in salary for said position has been

provided subsequent to the passage of said acts, and except where the position has been abolished, and except as otherwise provided in section 7, shall be increased by five hundred dollars.

II. The annual salary of positions of state officials which have been increased since 1947 by less than five hundred dollars shall be now increased by such sums as will make the increase over the 1947 salary five hundred dollars.

III. The legislative council is hereby directed to make a study of the salaries of all unclassified positions and to submit a report and recommendations to the next legislature, not later than December 31, 1952.

The governor with the advice and consent of the council, is authorized to cause to be transferred from special funds of specific departments or commissions having special funds, such sums as may be necessary to provide the salary increases provided for in this section for officials of said departments or commissions. The balance of sums appropriated by this section shall be a charge upon the general funds.

7. *Specific Salary Increases.* Notwithstanding any other provisions of this act the salaries of the following officials shall be as follows:

	Minimum	Maximum
Secretary tax commission	$6,000	$6,500
State librarian	$4,500	$5,000
Assistant state librarian	$3,500	$4,000

Any provisions of chapter 250 of the Laws of 1947 inconsistent with the provisions of this section are hereby repealed to the extent of such inconsistencies. The annual salary of the assistant to the legislature shall be five hundred dollars in addition to the salary set by the appropriation acts for each year. To provide the funds necessary for the salary increases provided for by this section there is hereby appropriated the sum of two thousand seven hundred and fifty dollars for the fiscal year ending June 30, 1952, and a like sum for the fiscal year ending June 30, 1953. The sums hereby appropriated shall be a charge upon the general funds of the state.

8. *Justices.* In addition to the salaries for the chief justice and associate justices of the superior court and the salaries of the chief justice and associate justices of the

supreme court each such justice shall receive an annual salary increase of five hundred dollars for each of the fiscal years ending June 30, 1952 and June 30, 1953. The sum of five thousand five hundred dollars for the fiscal year ending June 30, 1952, and a like sum for the fiscal year ending June 30, 1953, are hereby appropriated for the purpose of providing funds for the salary increases provided for by this section. The sums hereby appropriated shall be a charge upon the general funds of the state.

9. *Extension of Appropriation.* Notwithstanding any other provisions of law, any balance of the appropriation made by section 5, chapter 9, Laws of 1950, shall be available and may be expended for any salary adjusted for classified employees which have been or shall be approved by the personnel commission to cover salary increases for the fiscal year ending June 30, 1951.

Further amend said bill by renumbering section 6 to read section 10.

On motion of Mr. Baron of Claremont further reading of the amendment was dispensed with.

Mr. Baron of Claremont moved that the House non-concur and that a Committee of Conference be appointed.

The question being on the motion of the member from Claremont.

(Discussion ensued)

Messrs. Baron of Claremont and Ferguson of Pittsfield spoke in favor of the motion.

Mr. Perkins of Concord spoke against the motion.

Mr. Pickett of Keene moved that the House concur in the Senate amendments.

The question being on the motion to concur.

(Discussion ensued)

Messrs. Pickett of Keene, Nelson of Milford, Turner of Keene, Skinner of Orford and Sanborn of Wakefield spoke in favor of the motion.

Messrs. Baron of Claremont, Chandler of Warner, Means of Milan and Betley of Manchester spoke against the motion.

Mr. McMeekin of Haverhill moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to concur.

On a *viva voce* vote the motion did not prevail.

The question being on the motion to non-concur, and that a Committee of Conference be appointed.

On a *viva voce* vote the motion prevailed, and the Speaker appointed as members of such committee on the part of the House, Mr. Sanborn of Wakefield, Mrs. Greene of Concord, and Mr. Baron of Claremont.

Committee of Conference Report

The Committee of Conference, to whom was referred House Joint Resolution No. 6, Joint resolution in favor of Paul MacEwen, Treasurer, Horne Nursery, Inc., having considered the same, recommend that the Senate recede from its position of non-concurrence and concur with the House in the passage of the bill.

JOHN W. DOLE,
THOMAS B. O'MALLEY,
Conferees on the part of the Senate.

ALBERT H. BROWN,
ANN J. GOODWIN,
DAVID J. BARRY,
Conferees on the part of the House.

On motion of Mr. Brown of Strafford the House voted to agree to the report of the Committee of Conference.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 124, An act providing for a salary increase for state employees and officials.

The President appointed as members of such a committee, on the part of the Senate, Senators Dole and O'Malley.

House Joint Resolution No. 6, Joint resolution in favor of Paul MacEwen, Treasurer, Horne Nursery, Inc.

The President appointed as members of such a committee, on the part of the Senate, Senators Dole and O'Malley.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following joint resolution, sent up from the House of Representatives:

House Joint Resolution No. 20, Joint resolution establishing a lobster fund.

The message also announced that the Senate had voted to adopt the report of the Committee of Conference on House Bill No. 453, An act relative to membership of the judicial council, duties of clerks of the Senate and House of Representatives, naming of certain bridges over the Blue Star Memorial Highway and Baer Pond, relative to the children's study home, relative to military service credit for teachers, military service credit for members of the state employees retirement system, motor vehicle fines and forfeitures, and relative to optional allowances under the employees retirement system.

The Committee of Conference, to whom was referred House Bill No. 419, An act relating to the taxation of tobacco products, having considered the same and being unable to agree, recommended that this committee be dismissed.

House Bill No. 220, An act relative to the sale of liquor.

On motion of Mr. Wadleigh of Milford the House adjourned from the morning session.

Afternoon

The House was immediately called to order in the afternoon session.

On motion of Mr. Chandler of Warner at 10:05 o'clock the House adjourned.

FRIDAY, AUGUST 31, 1951

The House met according to adjournment.

Prayer was offered by the Chaplain.

Most gracious God, on Whom we have called for guidance and to Whom we have looked for wisdom during this session of our General Court, we return to Thee our heartfelt thanks

for Thy interest in all we have done or attempted to do. If we have left undone the things Thou wouldst have had us do, or have done the things we should not have done, we implore Thy forgiveness. Bless our State—her industries, her schools of learning, her social and religious interests. Endue with the spirit of wisdom, those to whom in Thy name, we have entrusted the authority of government, that there may be justice, peace and prosperity in our Commonwealth. Through Jesus Christ our Lord. Amen.

Engrossed Bills

Mrs. Shields of Berlin and Mrs. Landers of Keene for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 446, An act making appropriations for the expenses of the state of New Hampshire for the year ending June 30, 1952.

House Bill No. 447, An act making appropriations for the expenses of the state of New Hampshire for the year ending June 30, 1953.

House Joint Resolution No. 14, Joint resolution relative to a memorial in honor of John Langdon.

House Joint Resolution No. 20, Joint resolution establishing a lobster fund.

House Bill No. 107, An act relative to making appropriations for and on behalf of the New Hampshire Wing, civil air patrol.

House Bill No. 398, An act establishing a Tri-State Authority to enable the collective construction and operation of institutions in Maine, New Hampshire and Vermont.

The report was accepted.

Mrs. Jackson of Dublin, for the Committee on Engrossed Bills, to whom was referred House Bill No. 68, An act relating to the taxation of legacies and successions, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 of said bill by striking out the first two lines and inserting in place thereof the following:

1. *Legacy and Succession Tax.* Amend section 1 of chapter 87 of the Revised Laws, as amended by chapters 3 and

144 of the Laws of 1945, by inserting after the words "public municipal purposes" and before

On motion of Mr. Hurd of Concord the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence.

House Bill No. 459, An act relating to the listing of tax exempt property and to the effective date for collection of fees for inspections of weights and measures, reported the same under Joint Rule No. 6 with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 of said bill by striking out the eighth line and inserting in place thereof the following:

2. *Change of Date.* Amend section 7 of chapter 199, Laws of 1951, by striking out the word "July" and

On motion of Mr. McMeekin of Haverhill the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence.

Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 124, An act providing for a salary increase for the state employees and officials, having considered the same and being unable to agree, recommend that this committee be dismissed and a new Committee of Conference be appointed.

ANSEL N. SANBORN,
MARJORIE M. GREENE,
WILLIAM P. BARON,
Conferees on the part of the House.

JOHN W. DOLE,
THOMAS B. O'MALLEY,
Conferees on the part of the Senate.

Mr. Sanborn of Wakefield moved that the House agree to the report of the Committee of Conference.

The question being on the motion to agree.

(Discussion ensued)

Messrs. Sanborn of Wakefield, Baron of Claremont and Ferguson of Pittsfield spoke in favor of the motion.

Mr. Betley of Manchester spoke against the motion.

On a *viva voce* vote the motion to agree to the report of the Conference Committee prevailed and the Speaker appointed as members of such new Committee of Conference on the part of the House, Messrs. Hart of Wolfeboro, Matthews of New Hampton and Barry of Wilton.

Committee of Conference Report

The Committee of Conference, to whom was reported House Bill No. 220, An act relative to the sale of liquors, having considered the same, recommend that the Senate recede from its position in the adoption of its amendments, that the House recede from its position of non-concurrence and that the Senate and the House adopt the following amendments to the bill.

Amend section 1 of said bill by striking out said section anl inserting in place thereof the following:

1. *Spirituous Liquors.* Amend section 16 of chapter 170 of the Revised Laws as amended by chapter 38, Laws of 1943, by striking out said section and inserting in place thereof the following: 16. *Packages.* All liquors sold in state stores shall be sold for consumption off the premises. Such liquor shall be in packages, sealed with the seal of the commission, containing such quantity as said commission shall prescribe; and the commission is authorized to prescribe the form of bottle and packages, and to bottle such liquor as it may deem necessary and proper. The price of all liquor sold shall be sufficient to pay for the cost of the liquor purchased, plus the operating expenses of the state stores, plus a proportionate part of the overhead expenses of the commission, plus an additional charge; all to be determined by the commission. Purchases of liquor shall be made on requisition in such form as the commission may prescribe. Said commission is hereby authorized to limit the amount of liquor which may be purchased by any person at any one time. Liquor shall not be consumed in any public way or in any motor vehicle parked or travelling on any such way. When any sheriff or deputy sheriff, duly appointed police officer or constable of any city or town, or other duly appointed law en-

forcement officer shall discover any person in the act of consuming any liquor in violation of this section, it shall be his duty to seize all liquor exposed by such person or found in the motor vehicle in which it is so being consumed.

Further amend said bill by inserting after section 2 the following sections:

3. *Commission.* Amend section 32 of chapter 170 of the Revised Laws by striking out the same and inserting in place thereof the following section: 32. *Suspension or Revocation.* It shall be the duty of the commission to cause frequent inspections to be made of all the premises with respect to which any license or permit shall have been issued under the provisions of this chapter. If any licensee or permittee violates any of the provisions of this chapter or any of the rules and regulations of the commission promulgated pursuant thereto or fails to superintend in person or through a manager approved by the commission the business for which the license or permit was issued or allows the premises with respect to which the license or permit was issued to be used for any unlawful, disorderly or immoral purposes or knowingly employs in the sale or distribution of liquor or beverages any person who has been convicted of a felony or otherwise fails to carry out in good faith the purposes hereof, the license or permit of such licensee or permittee may be suspended by the commission without hearing, and may be revoked after notice and hearing. The commission may investigate the prices charged for liquor and beverages by licensees and permittees. The commission may revoke or suspend the license of any licensee or the permit of any permittee if it finds after notice and hearing that the profit made from the sale of liquor or beverages by such licensee or permittee is unreasonable and excessive.

4. Amend section 48 of chapter 170 of the Revised Laws by striking out the same and inserting in place thereof the following section: 48. *Penalties.* Whoever violates any of the provisions of this chapter or any of the rules and regulations promulgated pursuant thereto shall be fined not more than five hundred dollars or be imprisoned for not more than six months, or both, in the discretion of the court. In case of appeal by a licensee or permittee the license or permit of such licensee or permittee may be suspended at the discretion of the commission during the pendency of such appeal.

5. *Repeal.* Sections 83 and 86 of chapter 170 of the Revised Laws relative to inspections and penalties are hereby repealed.

Further amend the bill by renumbering section 3 to read section 6.

LAURENCE M. PICKETT,
HARRY H. FOOTE,
THOMAS F. McCAFFERY,
Conferees on the part of the House.

NATHAN A. TIRRELL,
FRED G. HAYES, JR.,
Conferees on the part of the Senate.

Mr. Pickett of Keene moved that further reading of the amendment be dispensed with.

The question being on the motion of the member from Keene.

(Discussion ensued)

Messrs. Pickett of Keene and Pillsbury of Manchester spoke in favor of the motion.

Mr. Betley of Manchester moved that the report be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Messrs. Charland of Franklin, Wadleigh of Milford and Betley of Manchester spoke in favor of the motion.

Messrs. Pillsbury of Manchester, Foote of Portsmouth, Pickett of Keene and McMeekin of Haverhill spoke against the motion.

Mr. Hepworth of Derry moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the motion prevailed.

Mr. McMeekin of Haverhill asked for a division.

A division being had, 125 members having voted in the affirmative and 122 members having voted in the negative, and less than two thirds of the elected members being present and

less than two-thirds of those present and voting having voted in the affirmative, the motion to indefinitely postpone did not prevail.

The question being on the motion to dispense with reading of the report.

On a *viva voce* vote the motion prevailed.

Mr. Foote of Portsmouth moved that the House agree to the Committee of Conference report.

The question being on the motion of the member from Portsmouth.

(Discussion ensued)

Mr. Pillsbury of Manchester spoke against the motion.

Mr. Betley of Manchester moved to lay the bill on the table and make it a special order for 2:00 o'clock today.

Mr. O'Shan of Laconia moved to lay the bill on the table.

The question being to lay on the table.

Mr. Betley of Manchester asked for a division.

A division being had, 91 members having voted in the affirmative and 151 members having voted in the negative, the motion to lay upon the table did not prevail.

The question being on the motion for a special order.

On a *viva voce* vote the motion did not prevail.

The question being on the motion to agree.

(Discussion ensued)

Messrs. McMeekin of Haverhill and Chandler of Warner spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Betley of Manchester moved that the House disagree with the Committee of Conference report and that a new committee be appointed.

On a *viva voce* vote the motion prevailed, and the Speaker appointed as members of a new Committee of Conference on the part of the House, Messrs. Ferguson of Pittsfield, Turner of Keene and Mrs. St. Pierre of Rochester.

Senate Message

A message from the Honorable Senate announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the

passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 257, An act validating action of the city council of the city of Portsmouth.

Amend the bill by striking out the title and inserting in place thereof the following new title: An act validating action of the city council of the city of Portsmouth.

Further amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

Section 1. *City of Portsmouth.* The action of the city council of the city of Portsmouth on August 8, 1951, whereby said city council authorized the unexpended balance of $57,-862.22 from the bond issue of 1946 to be used for the purposes of permanent improvements for sewer facility construction, is hereby legalized, ratified and confirmed.

Section 2. This act shall take effect upon its passage.

Mr. Durell of Portsmouth moved that the House concur in the amendments sent down from the Honorable Senate.

The question being on the motion to concur.

(Discussion ensued)

Messrs. Durell of Portsmouth and Pillsbury of Manchester spoke in favor of the motion.

Mrs. Dondero of Portsmouth spoke against the motion.

(Mr. McMeekin of Haverhill in Chair)

Messrs. Smart, Foote and Yeaton and Mrs. Sukeforth of Portsmouth spoke in favor of the motion.

(Speaker in Chair)

Mrs. Dondero of Portsmouth moved that the amendment be indefinitely postponed.

The question being on the motion to indefinitely postpone.

Mrs. Dondero asked for a division.

A division being had, 55 members having voted in affirmative and 154 members having voted in the negative, the motion to indefinitely postpone did not prevail.

The question being on the motion to concur.

Mrs. Dondero of Portsmouth demanded the Yeas and Nays, and the roll was called with the following result:

Yeas, 170

ROCKINGHAM COUNTY: Griffin of Auburn, Wastcoat, Darbe, Lindahl, Clark of Derry, Gay, Hepworth, Freeman of East Kingston, Kendall, Rathbone of Exeter, Richards, LeComte, Putnam, Merrill, Ring, Thurlow, McNeil, Hall, McCaffrey, Sheehy, Wells, Carter of No. Hampton, McDaniel, Colcord, Sukeforth, Durell, Foote, Yeaton, Dame, Smart, Bluitte, Philbrick, Haigh, Waterhouse.

STRAFFORD COUNTY: Swain, Karkavelas, Felker, Fellows, Crandall, Locke of Dover, Horne, Smith of New Durham, Rolfe, Maxfield, Winters, St. Pierre, Studlay, Leach, Malley, Brown of Strafford.

BELKNAP COUNTY: McAllister, Weeks, Osborne, Hart of Laconia, Tilton of Laconia, Ward 3, Tilton of Laconia, Ward 4, Thompson of Laconia, Brown of Laconia, Matthews, Atwood, Metcalf.

CARROLL COUNTY: Downs, Hill, Morey, Nickerson, Knox, Sanborn, Hart of Wolfeboro.

MERRIMACK COUNTY: Moore, Vogel, Tebbetts, Kennedy of Concord, Hurd, Saltmarsh, Tilton of Concord, Bunten, Greene of Concord, Blodgett, Sargent, Hadley, Chase of Franklin, Ayotte, Maxwell, Mason, Lea, Payeur, Ferguson, Powell, Chandler, Sawyer of Wilmot.

HILLSBOROUGH COUNTY: Holmes, Wilson, French of Bedford, Black, Crosby, Goodwin, Abbott, Corliss, Pettigrew, Pillsbury, Nolan, Falconer, Wadleigh, Cooper, Ramsdell, Underhill, Record, Locke of New Boston, Bass, French of Weare.

CHESHIRE COUNTY: Dort, Jackson, Rathbun of Harrisville, Walker, O'Neil of Keene, Landers, Wheeler, Erwin, Codding, Turner, Sherwin, Worcester, Rhodes, Ingham of Winchester, Thompson of Winchester.

SULLIVAN COUNTY: Bascom, Converse, Bissonett, Millar of Claremont, Carter of Cornish, Perry, Vaughan.

GRAFTON COUNTY: Chamberlin of Bath, Plumer, Willey, Clarke of Canaan, Lorden, Grass, Fuller, Holden of Hanover, Chamberlin of Haverhill, Sleeper, Adams, Ashley of Lebanon, Cole, Jones, Randall, Griffin of Lincoln, Gardner, Kelley, Martin of Littleton, Pushee, Burrill, Skinner, Howard, Bell, Huckins, Barney, Horner, Woodward, Gilbert, Sawyer of Woodstock.

COOS COUNTY: Brungot, Gould, Oakes, Emerson, Fraser, Simonds, Means, Hilliard, Stinson, Taylor.

Nays, 69

ROCKINGHAM COUNTY: Eastman, Dondero.

STRAFFORD COUNTY: Stackpole, Marcotte of Dover, Shaheen, Carroll, Caldwell, Dustin, Lagueux, Letourneau, Cater.

BELKNAP COUNTY: Simoneau.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Dodge, Ferrin, Brunel, Nawn, Sawyer of Concord, Burke, Beale, DuDevoir.

HILLSBOROUGH COUNTY: Farwell, Geisel, Connor, Dwyer, Fitzgerald, Kean, Betley, Ellis, Healy of Manchester, Ward 5, Casey, Clancy, Ecker, Healy of Manchester, Ward 6, Sullivan of Manchester, Delisle, Cary, Getz, Soucy, Daniel, Cannon, Donnelly, Wedick, Belcourt, Brosnahan, Cote, Maynard of Nashua, Ward 5, Boisvert, Dionne, Shea of Nashua, Chartrain, Dupont, Ryan, Cormier, Grandmaison, Barry.

CHESHIRE COUNTY: Pickett, Walsh, Lang.

SULLIVAN COUNTY: Baron of Claremont, Bailey, Gamsby.

GRAFTON COUNTY: McMeekin, Anderson.

COOS COUNTY: Dussault, Shields, Henderson of Berlin, Laforce, Roy of Berlin, Placy.

And the motion to concur prevailed.

The bill was sent to the Secretary of State to be engrossed.

Reconsideration

Mr. Foote of Portsmouth moved that the House reconsider its vote whereby the House concurred in Senate amendment to House Bill No. 257.

On a *viva voce* vote the motion did not prevail.

Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 124, An act providing for a salary increase for state employees and officials, having considered the same, reported the same with the following recommendations:

The committee recommends that the House recede from its postion of non-concurrence with the amendments adopted by the Senate covering sections 1, 2, 5, 7 and 9, and the amendment renumbering section 6 to read section 10. The committee further recommend that the Senate recede from its adoption of its amendments inserting sections 6 and 8, that the House recede from its position of non-concurrence to said sections, and that the House and Senate adopt the following amendment:

6. *State Officials.* In view of the fact that heads of state departments have not had a general salary adjustment since 1947, there is hereby appropriated the sum of sixteen thousand one hundred twenty-five dollars ($16,125) for the fiscal year ending June 30, 1952, and a like sum for the fiscal year ending June 30, 1953, for the purpose of providing salary adjustments of the administrative heads of state departments and agencies and their deputies or assistants whose salaries are fixed by statute on the following basis:

I. Each annual salary for each full time position set forth in chapters 249 and 250 of the Laws of 1947, except in cases where an increase in salary for said position has been provided subsequent to the passage of said acts, and except where the position has been abolished, and except as otherwise provided in section 7, shall be increased by three hundred seventy-five dollars.

II. The annual salary of positions of state officials which have been increased since 1947 by less than three hundred seventy-five dollars shall be now increased by such sum as will make the increase over the 1947 salary three hundred seventy-five dollars.

III. The legislative council is hereby directed to make a study of the salaries of all unclassified positions and to submit a report and recommendations to the next legislature, not later than December 31, 1952.

The governor, with the advice and consent of the council, is authorized to cause to be transferred from special

funds of specific departments or commissions having special funds, such sums as may be necessary to provide the salary increases provided for in this section for officials of said departments or commissions. The balance of sums appropriated by this section shall be a charge upon the general funds.

8. *Justices.* In addition to the salaries for the chief justice and associate justices of the superior court and the salaries of the chief justice and associate justices of the supreme court each such justice shall receive an annual salary increase of three hundred seventy-five dollars for each of the fiscal years ending June 30, 1952 and June 30, 1953. The sum of four thousand one hundred twenty-five dollars for the fiscal year ending June 30, 1952, and a like sum for the fiscal year ending June 30, 1953, are hereby appropriated for the purpose of providing funds for the salary increases provided for by this section. The sums hereby appropriated shall be a charge upon the general funds of the state.

HAROLD H. HART,
ARCHIBALD H. MATTHEWS,
DAVID J. BARRY,
Conferees on the part of the House.

SUZANNE LOIZEAUX,
FRED G. HAYES, JR.,
Conferees on the part of the Senate.

On motion of Mr. Hart of Wolfeboro further reading of the amendment was dispensed with.

Mr. Hart of Wolfeboro moved that the report of the Committee of Conference be agreed to.

The question being on the motion of the member from Wolfeboro.

(Discussion ensued)

Messrs. Hart of Wolfeboro, Matthews of New Hampton, Barry of Wilton, Sanborn of Wakefield, Pickett of Keene, Pillsbury of Manchester, Turner of Keene and Mrs. Brungot of Berlin spoke in favor of the motion.

Messrs. Baron of Claremont, Corbett of Concord, Ferguson of Pittsfield, Means of Milan, Brown of Laconia and Mrs. Millar of Claremont spoke against the motion.

Mr. Bass of Peterborough moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to agree to the Committee of Conference report.

On a *viva voce* vote the report was agreed to.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills to the following entitled House bill, in the adoption of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 451, An act relating to the election of representatives to the general court.

Amend section 1 of said bill by striking out the first two lines and inserting in place thereof the following:

1. *Representatives.* Amend sections 3 and 4 of chapter 40 of the Revised Laws, as amended by chapter 36, Laws of 1943, by striking out said sections and inserting in place thereof the following: 3. *Apportionment.*

Further amend section 1 by striking out the numbering of the section entitled Part Time, and inserting in place thereof the numbering 4.

Further amend said bill by striking out the word and figure "section 4" and inserting in place thereof the figure 2.

Further amend said bill by renumbering the last two sections to read 3 and 4, respectively.

On motion of Mr. Holden of Hanover the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

Reconsideration

Mr. Means of Milan moved that the House reconsider its vote whereby the House agreed to the Committee of Conference report to House Bill No. 124.

The question being on the motion to reconsider.

(Discussion ensued)

Messrs. Means of Milan, Ferguson of Pittsfield and Baron of Claremont spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 405, having considered the same, recommended that the Senate recede from its amendments to the bill and that the House recede from its position of non-concurrence and that the Senate and the House concur in the following amendments to the bill:

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Division of Investigation of Accounts.* Amend chapter 23-A of the Revised Laws as inserted by Part 6 of chapter 5 of the Laws of 1950, by inserting after section 25 the following new subdivision:

Division of Investigation of Accounts

26. *Division of Investigation of Accounts.* There shall be a division of investigation of accounts in the department of administration and control under the executive direction of the comptroller.

27. *Duties.* Subject to the direction and supervision of the comptroller the business supervisor shall (1) review and investigate all records of the state hospital, Laconia state school and the state sanatorium relative to expenses incurred by patients at such institutions, or expenses incurred by patients receiving care, treatment or maintenance at the direction of the tuberculosis commission, and make recommendations to the respective boards of trustees or commissions of such institutions, or to the tuberculosis commission, as to the rates to be charged for the care, treatment and maintenance of such patients or inmates, (2) investigate the ability of patients and inmates of such institutions and of the patients receiving care, treatment or maintenance either in public or private institutions or otherwise at the direction of the tuberculosis commission and those legally chargeable for their support and maintenance to pay for such care, treatment and maintenance and recommend to the respective boards of trustees or commissions of such institutions or to the tuber-

culosis commission the rate to be charged, (3) submit monthly to the boards of trustees of such institutions and the tuberculosis commission any recommended changes in the schedule of rates based upon the ability of the patient or inmate or those legally chargeable for their support to pay, (4) submit monthly to the boards of trustees or commissions of such institutions and the tuberculosis commission a report setting forth any facts or information which bear upon or affect the domicile of any patient or inmate of such institution which the business supervisor has found in conjunction with investigation under this subdivision, and the business supervisor shall recommend such action as he deems advisable.

28. *Persons Chargeable.* Expenses incurred in such institutions or at the direction of the tuberculosis commission in any public or private institution or elsewhere by anyone having a father, mother, son, daughter, husband or wife whose weekly income or other resources are more than sufficient to provide a reasonable subsistence compatible with decency and health, may be recovered in an action in the name of the state, from either a father, mother, son, daughter, husband or wife, who are declared jointly and severally liable for such expenses, unless otherwise ordered by the court.

29. *Support Order.* Upon a petition for support in the name of the state, the superior court may enter an order requiring persons legally chargeable for the support of a patient or inmate to contribute to the support of such patient or inmate. Anyone against whom an order is entered requiring a person to contribute to the support of such relative who fails to comply therewith shall be deemed to be in contempt of court and may be imprisoned not less than sixty nor more than ninety days.

30. *Expenses.* The state is entitled to recover the expense of care, treatment and maintenance of any patient or inmate at such institutions or at a public or private institution or otherwise at the direction of the tuberculosis commission from the patient or inmate, if of sufficient ability to pay or his estate, or from those persons legally chargeable with his support or their estate.

31. *Regular Rate.* Each board of trustees or the commission of such institution shall determine a uniform monthly rate to cover the expenses for the care, treatment and mainte-

nance of patients or inmates of such institutions. The tuberculosis commission shall establish a monthly rate to be charged patients receiving care, treatment and maintenance at its direction.

32. *Partial Charges.* Each board of trustees or commission of such institutions or the tuberculosis commission may charge less than the uniform monthly rate when its finds that a patient or any relative chargeable therewith is able to bear only a portion of the expense incident to his care, treatment and maintenance at such institution or care, treatment and maintenance furnished at the direction of the tuberculosis commission. In establishing such charge the boards of trustees or commission of such institutions and the tuberculosis commission shall consider the report, investigation and recommended charge of the comptroller. The recommended rate shall be charged by the comptroller if the boards of trustees or commission of such institutions or the tuberculosis commission shall not establish a different rate at the meeting following the one in which the recommendation was presented. The comptroller shall make further recommendations as provided in this section where conditions affecting the ability to pay of persons legally chargeable for the support of the patient or inmate have changed.

33. *Support by the State.* Any patient or inmate of such institutions or patient receiving care, treatment or maintenance at the direction of the tuberculosis commission who has no means of support and no persons chargeable for his support shall be supported by the state.

34. *Special Services.* Each board of trustees or commission of such institutions or the tuberculosis commission shall determine the rates for special services rendered to patients or inmates of such institutions or at the direction of the tuberculosis commission.

35. *Reports.* The superintendents of such institutions and the director of tuberculosis control shall forward forthwith to the comptroller any change in population at such institutions, any change affecting the rates charged patients or inmates, and any other changes affecting expenses incurred by a patient or inmate.

2. *State Hospital.* Sections 15, 22, 23 and 25 of chapter 17 of the Revised Laws relative to support of persons committed to the state hospital are hereby repealed.

3. *State Sanatorium.* Sections 4, 5 and 6 of chapter 153 of the Revised Laws, as amended, relative to support of a patient at the state sanatorium are hereby repealed.

4. *Laconia State School.* Section 6 of chapter 129 of the Revised Laws relative to support of inmates is hereby repealed.

5. *Transfer of Personnel and Appropriations.* All personnel of the state hospital, Laconia state school, state sanatorium, and tuberculosis commission, now engaged full time in the investigation of accounts and the collection of moneys due said institutions or commission, are hereby transferred to the division of investigation of accounts in the department of administration and control, and all unexpended funds and appropriations for compensation and expenses of such employees are hereby transferred and allocated to the department of administration and control for the purpose of administering and carrying out the provisions of this chapter.

6. *Limitation.* The department of administration and control shall not be entitled to any additional assistance to perform the duties imposed by the provisions hereof beyond the number presently authorized but the duties hereunder shall be performed by the personnel of the department of administration and control and by the same number of financial agents as authorized at the date of the passage of this act. Said personnel of the department and financial agents shall not be entitled to additional salary increases on account of additional duties imposed hereunder.

7. *Takes Effect.* This act shall take effect on the first day of the month next following the date of the passage of this act.

RAYMOND K. PERKINS,
GARDNER C. TURNER,
DAVID J. BARRY,
Conferees on the part of the House.

SARA E. OTIS,
STANLEY M. BROWN,
Conferees on the part of the Senate.

On motion of Mr. Turner of Keene further reading of the report was dispensed with.

Mr. Turner of Keene moved that the report be agreed to.

On a *viva voce* vote the report was agreed to.

Report of Committee of Conference

The Committee of Conference, to whom was referred House Bill No. 23, An act relating to town expenditures between December 31st and the next annual meeting, having considered the same and being unable to agree, recommend that this committe be dismissed.

RAYMOND K. PERKINS,
ARTHUR W. McDANIEL,
C. MURRAY SAWYER,
Conferees on the part of the House.

CHARLES F. HARTNETT,
STANLEY M. BROWN,
Conferees on the part of the Senate.

On motion of Mr. Sawyer of Concord the House agreed to the Committee of Conference report.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to adopt the report of the Committee of Conference on House Bill No. 124, An act providing for a salary increase for state employees and officials, and the President has appointed as members of such new committee on the part of the Senate, Senators Loizeaux and Hayes.

House Bill No. 220, An act relative to the sale of liquor, and the President has appointed as members of such committee on the part of the Senate, Senators Tarlson and Hayes.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

House Bill No. 68, An act relating to the taxation of legacies and succession.

House Bill No. 459, An act relating to the listing of tax exempt property.

The message also announced that the Senate has voted to adopt the report of the Committee of Conference on the following entitled bills:

House Bill No. 23, An act relating to town expenditures

between December thirty-first and the next annual town meeting.

House Bill No. 124, An act providing for salary increases for state employees and officials.

House Bill No. 405, An act relating to a uniform collections division for state institutions.

(Recess)

(After recess)

Engrossed Bills

Mrs. Corliss of Manchester, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

House Joint Resolution No. 12, Joint resolution in favor of Samuel W. Tenofsky.

House Bill No. 461, An act relating to the general funds of the state.

House Bill No. 388, An act relative to activities of the forestry and recreation commission in connection with transfer of functions thereto by the reorganization act.

House Bill No. 56, An act for county cooperative extension work in agriculture and home economics.

House Joint Resolution No. 48, Joint resolution relative to discharge of an interim commission and transfer of funds.

House Bill No. 421, An act making appropriations for capital improvements and longer term repairs for the state of New Hampshire.

House Bill No. 68, An act relating to the taxation of legacies and successions.

House Bill No. 413, An act conferring jurisdiction upon the superior court of actions founded on express contract.

House Bill No. 459, An act relating to the listing of tax exempt property and to the effective date for collection of fees for inspections of weights and measures.

The report was accepted.

Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 220, An act relative to the sale of liquors, having considered the same, recommend that the Senate re-

cede from its position in the adoption of its amendments, that the House recede from its postion of non-concurrence and that the Senate and the House adopt the following amendments to the bill:

Amend said bill by striking out in its entirety section 1.

Further amend said bill by renumbering section 2 to read secton 1.

Further amend said bill by inserting after section 1 the following new sections:

2. *Commission.* Amend section 32 of chapter 170 of the Revised Laws by striking out the same and inserting in place thereof the following section: 32. *Suspension or Revocation.* It shall be the duty of the commission to cause frequent inspections to be made of all the premises with respect to which any license or permit shall have been issued under the provisions of this chapter. If any licensee or permittee violates any of the provisions of this chapter or any of the rules and regulations of the commission promulgated pursuant thereto or fails to superintend in person or through a manager approved by the commission the business for which the license or permit was issued or allows the premises with respect to which the license or permit was issued to be used for any unlawful, disorderly or immoral purposes or knowingly employs in the sale or distribution of liquor or beverages any person who has been convicted of a felony or otherwise fails to carry out in good faith the purposes hereof, the license or permit of such licensee or permittee may be suspended by the commission without hearing, and may be revoked after notice and hearing. The commission may investigate the prices charged for liquor and beverages by licensees and permittees. The commission may revoke or suspend the license of any licensee or the permit of any permittee if it finds after notice and hearing that the profit made from the sale of liquor or beverages by such licensee or permittee is unreasonable and excessive.

3. Amend section 48 of chapter 170 of the Revised Laws by striking out the same and inserting in place thereof the following section: 48. *Penalty.* Whoever violates any of the provisions of this chapter or any of the rules and regulations promulgated pursuant thereto shall be fined

not more than five hundred dollars or be imprisoned for not more than six months, or both, in the discretion of the court. In case of appeal by a licensee or permittee the license or permit of such licensee or permittee may be suspended at the discretion of the commission during the pendency of such appeal.

4. *Repeal.* Sections 83 and 86 of chapter 170 of the Revised Laws relative to inspections and penalties are hereby repealed.

Further amend the bill by renumbering section 3 to read section 5.

ERALSEY C. FERGUSON,
GARDNER C. TURNER,
ANGELINE M. GILBERT ST. PIERRE,
Conferees on the part of the House.

GEORGE W. TARLSON,
FRED G. HAYES, JR.,
Conferees on the part of the Senate.

On motion of Mr. Ferguson of Pittsfield further reading of the report was dispensed with.

Mr. Turner of Keene moved that the report of the Committee of Conference be agreed to.

The question being on the motion of the member from Keene.

(Discussion ensued)

Messrs. Turner of Keene, Betley of Manchester, Pillsbury of Manchester and Jones of Lebanon spoke in favor of the motion.

On a *viva voce* vote the report was agreed to.

Taken from Table

On motion of Mr. Pickett of Keene, House Joint Resolution No. 7, Joint resolution in favor of Faulkner and Colony Manufacturing Company, was taken from the table.

The question being: Shall the words, ought to pass, be substituted for the report of the committee, inexpedient to legislate?

(Discussion ensued)

Mr. Pickett of Keene spoke in favor of the motion.

Mr. Lea of Pembroke moved that the joint resolution be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Messrs. Pillsbury of Manchester, Means of Milan, Charland of Franklin, and Sanborn of Wakefield, spoke in favor of the motion.

Messrs. Pickett and Turner of Keene spoke against the motion.

Mrs. Wastcoat of Candia moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the motion prevailed.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to adopt the report of the Committee of Conference on House Bill No. 220, An act relative to the sale of liquor.

Concurrent Resolution

Mr. Bell of Plymouth offered the following concurrent resolution:

Resolved, by the House of Representatives, the Senate concurring, That a committee of ten be appointed to join with such committee as the Senate may designate to wait upon His Excellency, the Governor, and inform him that the Legislature has completed the business of the session and is ready to be adjourned and to receive any communication which he may be pleased to make.

On a *viva voce* vote the concurrent resolution was adopted, and sent to the Senate.

The Speaker appointed as members of such committee on the part of the House: Mr. Swain of Barrington, Mr. Knox of Sandwich, Mrs. Sukeforth of Portsmouth, Mr. Bissonnett of Claremont, Mrs. Miller of Fitzwilliam, Mr. Kelley of Littleton, Mr. Tebbetts of Concord, Mrs. Dustin of Rochester, Mr. Sheridan of Berlin and Mr. Ecker of Manchester.

Resolution

Mr. Chandler of Warner offered the following resolution:

Resolved, That a copy of today's Journal be mailed to all members at their residence.

On a *viva voce* vote the resolution was adopted.

(Recess)

(After recess)

Engrossed Bills

Mrs. Jackson of Dublin and Mrs. Holmes of Amherst, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills and joint resolutions:

House Joint Resolution No. 47, Joint resolution relative to interpretation of chapter 42 of the Revised Laws.

House Joint Resolution No. 49, Joint resolution in favor of John Twombly and others.

House Bill No. 387, An act providing for non-partisan municipal elections in the city of Manchester.

House Bill No. 453, An act relative to membership of the judicial council, duties of clerks of the Senate and House of Representatives, naming of certain bridges over the Blue Star Memorial Highway, relative to the children's study home, relative to military service credit for teachers, military service credit for members of the state employees' retirement system, motor vehicles fines and forfeitures, and relative to optional allowances under the employees' retirement system.

House Bill No. 124, An act providing for a salary increase for state employees and officials.

House Bill No. 451, An act relating to the election of representatives to the general court.

House Bill No. 257, An act validating action of the City Council of the city of Portsmouth.

House Joint Resolution No. 6, Joint resolution in favor of Paul MacEwen, Treasurer Horne Nursery, Inc.

Senate Bill No. 96, An act relating to public construction and contracts for state of New Hampshire.

House Bill No. 220, An act relative to the sale of liquors.

House Bill No. 405, An act relative to a uniform collections division of state institutions.

House Bill No. 441, An act relative to the computation of mileage allowances for legislative members from certain towns.

House Bill No. 455, An act relative to bond for and duties of the state treasurer.

The report was accepted.

Resolutions

Mr. Perkins of Concord offered the following resolution:

Whereas, Wednesday, August 29, 1951, was the 76th birthday of the Honorable Harry H. Kennedy, Representative from the city of Concord, therefore be it

Resolved, That we extend to our fellow member our heartiest congratulations with our best wishes for many more happy birthdays, and be it further

Resolved, That the Clerk of the House of Representatives transmit to Mr. Kennedy a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

Indefinitely Postponed

In accordance with the resolution that all bills and joint resolutions pending in either branch on Friday, August 31st, at five o'clock, be indefinitely postponed, the following entitled bills and joint resolutions were indefinitely postponed.

House Bill No. 82, An act relative to the hours of police duty in the city of Manchester.

House Bill No 189, An act relative to voting for county commissioners by districts.

House Bill No. 135, An act relative to support of state guard.

House Bill No. 208, An act relative to clerk hire in the probate office of Belknap County.

House Bill No. 180, An act to establish rates of pay for overtime work by persons in classified state service.

House Bill No. 245, An act for the taxation of property passing by sale at retail.

House Bill No. 312, An act relative to the salaries of the commissioners of Hillsborough County.

House Bill No. 196, An act relating to compensation of attachees of the legislature.

House Bill No. 327, An act relating to certain fees in the insurance department.

House Bill No. 329, An act naming the Hampton River toll bridge.

House Bill No. 366, An act establishing a department of budget and accounts and relative to division of duties with department of administration and control.

House Bill No. 368, An act relative to bookmaking.

House Bill No. 377, An act relating to clerk hire in the probate office of Cheshire County.

House Bill No. 429, An act imposing taxes on meals, bottled soft drinks and admissions.

House Bill No. 452, An act to revise the city charter of the city of Concord.

Senate Bill No. 24, An act authorizing lump sum and compromise awards under the workmen's compensation law and for other purposes.

Senate Bill No. 54, An act relative to the control and management of parks and playgrounds in the city of Berlin.

Senate Bill No. 69, An act to terminate the charter of Salisbury Academy.

Senate Bill No. 71, An act providing for registration of automobile manufacturers.

House Joint Resolution No. 22, Joint resolution for a strengthened United Nations.

House Bill No. 75, An act relative to the effective date for collections of fees for inspections of weights and measures.

House Bill No. 145, An act relating to powers and duties of towns with reference to contracts with unions, and union and other employees.

House Bill No. 437, An act relative to fees of registers of deeds.

House Joint Resolution No. 11, Joint resolution providing for the erection of a retaining wall along the Cocheo River in Rochester.

House Joint Resolution No. 19, Joint resolution in favor of John White of Keene.

Appointment

The Speaker announced the following appointments on the part of the House to the Legislative Council:

Messrs. Ferguson of Pittsfield, Remick of Tamworth, Wells of Newton, Turner of Keene, Mrs. Studley of Rochester, Mrs. Frizzell of Charleston, Messrs. Barry of Wilton, Sheridan of Berlin, Eastman of Kensington.

Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolutions:

Concurrent Resolution

Resolved, by the House of Representatives, the Senate concurring, That a committee of ten be appointed to join with such committee as the Senate may designate to wait upon His Excellency, the Governor, and inform him that the Legislature has completed the business of the session and is ready to be adjourned and to receive any communication which he may be pleased to make.

The President has appointed as members of such committee, Senators Dole, O'Malley, Weeks, Read and Caron.

On motion of Mr. Wadleigh of Milford the House adjourned from the morning session.

Afternoon

The House was immediately called to order in afternoon session.

Mr. Swain of Barrington, for the committee appointed to wait upon His Excellency, the Governor, and inform him that the legislature had completed its duties, reported that they had attended to their duties.

The report was accepted, and His Excellency, Sherman Adams, then came in and delivered the following message:

Although this moment has been long in coming, the time has now arrived when you have finished your duties and are about to take your leave of your legislative work. It has been traditional for the Governor to review the work of the Legislature in proroguing the session. As should be the case after a session as extended as this, there have been some considerable legislative accomplishments in many fields. It has been

said many times as between good and bad laws, the legislative batting average in New Hampshire is about as high as they come. Although it would be too optimistic to say that your every decision has been right, time will show that most of the answers you have found to the questions with which you have had to deal have been the right answers. At least you have had the good sense to turn down a legion of unsound and occasionally preposterous measures which have been proposed.

Among the constructive work accomplished has been the help you have given cities and towns through adoption of legislation providing for a more prompt distribution of income from the interest and dividends tax; provision for old age assistance to aliens; the partial support of persons who are permanently and totally disabled; improvements to the law regarding the formation of cooperative school districts; better and more effective uniform reciprocal support laws; permissive legislation for the consolidation of trust funds; and perhaps the most important of all is the adoption of a vastly improved formula for state aid to education.

During the session a number of progressive measures have been adopted which hold considerable progress for the advancement of the state. Particularly important is the law authorizing the New Hampshire Industrial Development Corporation in which many business leaders of the state have been actively interested, and which will offer considerable incentive and assistance to industrial establishments which will come to New Hampshire. You have continued the progress already begun in cleaning up our streams through the passage of the Water Pollution Compact, and we have now adopted the Connecticut River Flood Control Compact which is also sound, beneficial legislation. You have made substantial and worthwhile overhauling to our public utilities' law. Again, the future of New Hampshire's highway system has been made brighter through the providing of additional road toll to support a more comprehensive construction program. All these have been major contributions.

In a different field you have helped those dependent upon income from their savings by increasing the income tax exemption. Our state employees and officials have been given a much needed salary adjustment. The security of the University of New Hampshire has been strengthened by putting

the state's share of its support on an equalized valuation basis, thus contributing to the increased costs of its teaching and operating personnel.

The civil defense powers entrusted to Governor and Council have been wisely delegated, although the need for taking full advantage of them is doubtlessly remote. The changes in the employment security laws have made Federal Social Security available to the employees of our state and towns who are now ineligible for membership under the retirement system. The Weights and Measures division of the Department of Agriculture is now on a self-sustaining basis.

In order to provide for the necessary machinery to guard against a repetition which arose in the accounting, auditing, and fiscal departments of Government, the Treasurer is now provided the necessary means of carrying out his duties under the law. Added to provisions which have already been made for more careful and efficient audit and control, this part of our administrative household should now be in substantially better order. The General Court has been wise in rejecting measures advocating the liberalization of liquor laws and the adoption of measures further legalizing gambling of various kinds.

The balancing of the budget has been a difficult task and it has been done only at the expense of reducing the quantity and perhaps the quality of state services. You can be assured that every resource will be exercised to provide the highest efficiency within the limitations of the funds provided.

This is the time for constructive appraisal of our accomplishments. It is a time for commendation of the things well done and, as well, of appraisal of the things left undone. I am sure there is not a single member of the General Court who honestly believes that we have permanently solved our financial problems. The budget has been balanced by expediency in a manner that none but special interests can have any enthusiasm for. It is my prediction that two years from now this will again be your most difficult problem, and it will so remain until a more adequate answer is found.

These difficulties have accounted in some measure for the unwarranted length of the present session. This body is the most powerful group of people in New Hampshire. There is none exceeding its power in this nation except the Congress

of the United States. As such, in the minds of the people it is a respected body. We must all be jealous of its reputation and be big enough to recognize that the length and expense of the present session have not added to the esteem in which this General Court is held. It is my belief that you have taken steps to avoid a similar situation in the future in providing for a Legislative Council to which, for my part, I have appointed your predecessor, Mr. Speaker, the Honorable Richard F. Upton of Concord, former Deputy Attorney General, William S. Green of Concord, and a man who has had great experience on various commissions of our government, Edward J. Gallagher of Laconia. With the legislative members appointed by the Speaker and the President, this Council can contribute very substantially to reducing the causes for the adjournment of this session on the eve of Labor Day. I commend the diligence of all of you who have devoted yourselves to the work of this session. One of the inspiring things in our work is to observe legislators who work hard, think constructively, and who painstakingly and patiently try to do the best they can to perform the tasks assigned to them creditably to themselves and to the constituency which elected them. I have been informed by the Joint Committee of the Senate and House of Representatives that you have now completed the business of the session. All of the acts and joint resolutions submitted to me for signature have been executed. Therefore, by the authority vested in me as Governor, I do hereby declare the General Court of New Hampshire adjourned to the last Wednesday in December in the year of our Lord, One thousand nine hundred and fifty-two.

Benediction was offered by the Chaplain.

By virtue of the proclamation of His Excellency, the Governor, the Chair declared the House of Representatives adjourned at 9:24 o'clock until the last Wednesday of December, 1952.

CYRIL J. FRETWELL,
Clerk.

A true copy—attest:

CYRIL J. FRETWELL,
Clerk.

Mr. Crandall of Dover, for the Committee on Mileage, presented the following report:

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Town	Miles
Atkinson	
Harry B. Tuttle	44
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Margaret A. Griffin	26
Brentwood	
Frederick W. Libby	41
Candia	
Mary A. Wastcoat	25
Chester	
Robert C. Hazelton	32
Danville	
Mahlon B. Darbe	41
Deerfield	
Alf G. Lindahl	23
Derry	
Harry E. Clark	32
William B. Cushing	32
Charles H. Gay	32
Oliver H. Hepworth	32
East Kingston	
George B. Freeman	44
Epping	
Lionel S. Fecteau	36
Exeter	
Emory P. Eldredge	45
Elizabeth E. Kendall	45
James C. Rathbone	45
Maude B. Richards	45
Fremont	
Anthime D. LeComte	36
Greenland	
Charles W. Bonney	53
Hampstead	
Thorndyke Putnam	40

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Hampton	
Dean B. Merrill	51
Donald A. Ring	51
Hampton Falls	
James H. Thurlow	50
Kensington	
Charles R. Eastman	47
Kingston	
Charles M. McNeill	41
Londonderry	
Charles H. Hall	29
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Thomas F. McCaffery	51
Newfields	
Thomas R. Sheehy	42
Newington	
John E. Holden	43
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F. Albert Sewall	39
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Henry G. Wells	46
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Alice W. Sukeforth	47
Ward 2	
Charles T. Durell	48
Harry H. Foote	48
John H. Yeaton	48

Town	Miles
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C. Cecil Dame	47
John L. Leary	47
Ward 4	
Thurston A. Smart	48
Ward 5	
Edward J. Ingraham	48
Raymond	
Thomas F. Bluitte	31
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Manning H. Philbrick	56
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W. Raymond Stackpole	40
Ward 2	
Paul G. Karkavelas	40
Joseph Marcotte, Jr.	40
William N. Shaheen	40
Ward 3	
Levi F. Felker	40
Carroll E. Fellows	40
Ward 4	
James Carroll	40
Harley A. Crandall	40
Charles H. Locke	40

Town	Miles
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Emmet J. Flanagan	40
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Oren V. Henderson	36
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John E. Horne	53
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William Smith	34
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Margaret E. Dustin	37
Fred Maxfield	37
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Barbara Winters	37
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Angeline M. Gilbert St. Pierre	37
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Ward 2	
Edward G. Letourneau	45
Ward 3	
Fred J. Coffin	45

Town	Miles
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Leo H. Cater	45
Ward 5	
James F. Malley	45
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Albert H. Brown	29

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Arthur H. McAllister	21
Belmont	
Joseph L. Boutin	22
Gilford	
Lena D. Weeks	32
Gilmanton	
C. Roland Osborne	23
Laconia	
Ward 1 (The Weirs)	
Myron B. Hart	35
Ward 2	
Fortunat A. Normandin	29
Alfred W. Simoneau	29
Ward 3	
Elmer S. Tilton	29
Ward 4	
Otto G. Keller	29
Robert P. Tilton	29
Ward 5	
David O'Shan	29
Theodore M. Thompson	29
Ward 6 (Lakeport)	
John F. Brown	31
John M. Ewing	31
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Joseph F. Smith	38

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Boscawen	
Elmer S. Ellsworth	10
Bow	
Andrew M. Nicoll	7
Bradford	
Reuben S. Moore	28
Canterbury	
Albert A. Vogel	13
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Shirley A. Marden	11
Concord	
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Fred M. Dodge	8
James P. Ferrin	8
Ward 2 (East Concord)	
Clarence I. Tebbetts	3
Ward 3	
Clyde B. Loiselle	3
Ward 4	
Philip H. Blodgett	2
Harry H. Kennedy	2
Charles W. Tobey, Jr.	2
Ward 5	
George L. Hurd	2
Raymond K. Perkins	2
Ward 6	
George H. Corbett	2
Eugene J. O'Neil	2
Gertrude E. Saltmarsh	2
John C. Tilton	2
Ward 7	
Shirley Brunel	4
John E. Bunten	4
Allen M. Freeman	4
Marjorie M. Greene	4
Ward 8	
John G. Blodgett	2

Town	Miles
Ward 9	
Emmett A. Nawn	3
C. Murray Sawyer	3
Danbury	
Roy K. Sargent	33
Dunbarton	
David M. Hadley	10
Epsom	
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James M. Burke	21
Alcide LaBranche	21
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Peter P. Charland	21
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Diamond A. Maxwell	18
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Alfred W. Poore	20
Austin H. Reed	20
Greenville	
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Hancock	
Robert English	40
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R. Wayne Crosby	25
Walter C. Sterling	25
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William J. Kennedy, Jr.	19
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Harry J. Danforth	19
Walter Clark Flanders	19
Joseph H. Geisel	19
John Pillsbury	19
Ward 3	
Walter B. Connor	19
Michael Joseph Dwyer	19
Louis Israel Martel	19
John J. Sweeney	19
Ward 4	
William J. Fitzgerald	20
Dominick J. Kean	20
Thomas F. Nolan	20
Ward 5	
Stanley J. Betley	20
Etta L. Ellis	20
Jeremiah B. Healy	20
Gedeon P. Proulx	20
Alexander Kazakis	20
John Francis Shea	20
Ward 6	
Denis F. Casey	21
Edward J. Cavanaugh	21
Edward D. Clancy	21
Joseph F. Ecker	21
Daniel J. Healy	21
John Zyla	21
Ward 7	
George E. Benoit	21
Francis W. Downey	21
Mark J. Gorham	21
Moise Z. Marcoux	21
Michael T. Sullivan	21

Town	Miles
Ward 8	
George N. Constant	21
Eugene H. Delisle, Sr.	21
John Kane	21
Peter H. Roy	21
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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

SPECIAL SESSION OF 1949

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SPECIAL SESSION OF 1949

TUESDAY, APRIL 25, 1950

Proclamation for a Special Session of the Legislature

I, Sherman Adams, Governor, with the advice and consent of the Council, hereby summon the General Court to assemble at the State House, Tuesday, the twenty-fifth day of April, 1950 at eleven o'clock A. M.

SHERMAN ADAMS,
Governor.

By His Excellency, the Governor, with the advice of the Council.

ENOCH D. FULLER,
Secretary of State.

In pursuance of the following proclamation, the House of Representatives having assembled in the capitol in the City of Concord, in said State, on Tuesday, April 25, 1950, being the day designated in the foregoing proclamation by His Excellency, the Governor, they were called to order by the Speaker at eleven o'clock A. M.

Prayer was offered by the Chaplain.

Almighty God, our guide and support in all the activities of life, be Thou with us in this Special Session of our Legislature. Help us to keenly sense the fact that we have laid upon us a special duty to perform. Give us a compelling desire to know the right and the courage to stand by the same, and may the welfare of our State be the motivating principle in all our actions. We ask it in the name of the Master. Amen.

Musical selections were offered by the Choir of Plymouth Teachers' College.

The Clerk proceeded to call the roll and 348 members answering to their names a quorum was declared present.

Roll Call

ROCKINGHAM COUNTY: Margaret A. Griffin, Margery W. Graves, Karl J. Persson, Robert C. Hazelton, Leon M. Fitch, Harry E. Clark, Harold W, Corson, George J. Heon, Oliver H. Hepworth, Thomas W. Fecteau, Emory P. Eldredge, Clinton W. Elwell, James C. Rathbone, Maude B. Richards, Moses H. Sanborn, Thornton N. Weeks, Sr., Thomas Henry Root, Dean B. Merrill, Ernest R. Underwood, J. Edward Stevens, Draper W. Parmenter, Arthur A. Labranche, F. Albert Sewall, George G. Carter, Robert A. Johnson, Arthur T. Colcord, Sam Alessi, Mary C. Dondero, Lise LaBelle Payette, Charles T. Durell, Harry H. Foote, John H. Yeaton, Carlos O. Hobbs, John J. Leary, Rae S. Laraba, Edward J. Ingraham, Thomas F. Bluitte, Walter F. Haigh, Leonard B. Peever, Ralph S. True, William H. Durkee, Willis J. Evans, W. Douglas Scamman, Thomas Waterhouse, Jr.

STRAFFORD COUNTY: Roy V. Swain, Maurice P. Redden, W. Raymond Stackpole, William Gouin, Frank J. Grimes, Joseph Marcotte, Jr., Levi F. Felker, Frederick C. Smalley, Harley A. Crandall, Francis R. Dodge, Louis Stocklan, Emmet J. Flanagan, Oren V. Henderson, Ned L. Parker, Frank E. Webster, Leeman B. Wormhood, Sr., John E. Horne, Ernest L. Rolfe, Margaret E. Dustin, Maurice A. Jones, Rudolph G. Cartier, Angeline M. Gilbert St. Pierre, Alphonse Lacasse, Norma M. Studley, Llewellyn F. Fernald, Charles F. Leach, Fred L. Green, Jr., Placide J. Lagueux, Edward G. Letourneau, Fred J. Coffin, Leo H. Cater, James F. Malley, Albert H. Brown.

BELKNAP COUNTY: Frederick M. Perkins, Arthur H. McAllister, Clarence B. Dearborn, Sanborn of Center Harbor, Lena D. Weeks, Charles G. Kelley, Myron B. Hart, Fortunat A. Normandin, Alfred W. Simoneau, Elmer S. Tilton, Otto G. Keller, Frank B. Shannon, Theodore M. Thompson, John F. Brown, John M. Ewing, Horace U. Ransom, Joseph F. Smith, Raymond C. Smith, Marion H. Atwood, Michael F. Bruno.

CARROLL COUNTY: Fred H. Washburn, Elmer H. Downs, Leslie C. Hill, Irene M. Lucy, John G. Thompson, Ralph S. MacGown, Winifred G. Wild, Edith D. Banfield, Charles G. Wiggin, Perley C. Knox, Earle H. Remick, Forrest W. Hodgdon, Ansel N. Sanborn, Harold H. Hart, George F. Thibodeau.

MERRIMACK COUNTY: Alfred Couture, Victor E. Phelps, Andrew M. Nicoll, Reuben S. Moore, Charles S. Rancour, Shirley A. Marden, Charles P. Coakley, James P. Ferrin, Harlan F. Besse, Sr., William J. Flynn, Clayton F. Colbath, Harry H. Kennedy, Nicholas A. Suosso, George L. Hurd, George H. Nash, George H. Corbett, John C. Tilton, John E. Bunten, Marjorie M. Greene, Richard F. Upton, John G. Blodgett, Emmett A. Nawn, C. Murray Sawyer, Roy K. Sargent, Ralph E. Towle, George W. Chase, James M. Burke, Alcide LaBranche, Andrew Lorden, Lester E. Connor, Edward M. Dudevoir, Charles E. Mullaire, Stewart E. Astles, Forrest B. Kenney, Stanley A. Spiller, Albert A. Carr, Edgar G. Bellerose, George R. Lea, Eralsey C. Ferguson, Edmond J. Stapleton, Fred W. Holmes, Benjamin H. Yerxa, Fred A. Savory, Arthur C. Stebbins.

HILLSBOROUGH COUNTY: Charles A. Tracy, Herbert E. Wilson, Gillis French, Edward C. Black, Grover C. Farwell, Arthur O. Ellsworth, Clarence C. Jones, A. Kenneth Hambleton, Austin H. Reed, Nathan A. Tirrell, Hobart M. Adams, William H. Doonan, Robert English, George W. Boynton, Merrick S. Crosby, Anne J. Goodwin, Fred T. Goodwin, Jr., Ned Spaulding, John A. Reid, Marion B. Corliss, Joel S. Daniels, Sr., William J. Kennedy, Jr., Harry J. Danforth, Joseph H. Geisel, Ray S. Sawyer, Walter B. Connor, Michael J. Dwyer, Louis Israel Martel, John J. Sweeney, William J. Fitzgerald, Dominick J. Kean, Thomas F. Nolan, Stanley J. Betley, Jeremiah B. Healy, Alexander Kazakis, John E. Malatras, John Francis Shea, Denis F. Casey, Edward J. Cavanaugh, Joseph F. Ecker, Daniel J. Healy, Henry P. Sullivan, John Zyla, Francis W. Downey, Francis J. Heroux, Charles J. Leclerc, Robert A. O'Connor, Michael T. Sullivan, Eugene H. Delisle, Sr., John J. Kane, Peter H. Roy, Emile Simard, Fred Cary, Henry J. Gagnon, George S. Auger, Oscar E. Getz, Sr., Isabell C. McPhail, John M. Roche, Joseph J. Roukey, Ernest G. April, George E. Laflamme, Amelia Lareau, Leon J. Vaillancourt,

Rolland L. Chapdelaine, Paul H. Daniel, Lorenzo P. Gauthier, Arthur E. Thibodeau, Michael J. Cannon, Michael S. Donnelly, Michael P. Wedick, Bert L. Peaslee, William Falconer, Fred T. Wadleigh, Frederic H. Fletcher, Blaylock Atherton, Mabel Thompson Cooper, Alice L. Ramsdell, George F. Boire, Fred Landry, Agenor Belcourt, Cornelius M. Brosnahan, George D. Spalding, Delphis E. Chasse, Emile E. Marquis, Albert Maynard, John B. Dionne, Louis W. Paquette, Frank B. Shea, Alfred Betters, Adelard Dupont, William J. Lavoie, Rodolphe Cormier, Alfred P. Grandmaison, Louis M. Janelle, Leonard G. Velishka, Pierre F. Cote, Raymond E. Girouard, Albert E. Shedd, William T. Thompson, Ernest Q. Bigelow, Charles M. Cummings, George A. Myhaver, Alfred Osborne, David J. Barry.

CHESHIRE COUNTY: Morris S. Ring, Sr., Wakefield Dort, Charles R. Thomas, Pauline H. Miller, Frank W. Walker, Carl C. Spofford, James B. Perry, Ben O. Aldrich, Ira O. Willard, Fred P. Amadon, Jr., Helen I. Landers, Burleigh R. Darling, Erwin, Robert A. Smith, Gardner C. Turner, Laurence M. Pickett, William G. Zimmerman, Benjamin G. Hall, Roxis A. Forbes, Francis W. Tolman, Walter H. Andrews, Harry E. Sherman, Ralph A. Blake, Joseph Kershaw, Franklin L. Lang, Harold T. Killeen, E. Everett Rhodes, Jr., Oscar W. Billings, Frederick H. Ingham, Alexander P. Thompson.

SULLIVAN COUNTY: Carl A. Perkins, George W. Angus, Sydney B. Converse, George E. Zopf, William F. Bissonnett, William R. White, William P. Baron, Clifton Simms, Albert Stetson, Leland L. Riley, Walter R. Nelson, Allen W. Walker, George A. Holmes, John A. Wirkkala, Maurice H. Cummings, Maurice J. Downing, Frank M. Farmer, Jesse R. Rowell, Lena A. Read, Edith B. Gardner, Tony O. Russell, George S. Callum, David E. Williams.

GRAFTON COUNTY: Orlo Erland Wadhams, William A. Brown, Edwin P. Chamberlin, Charles H. Whittier, Glenn L. Wheeler, Philip S. Willey, George L. Eggleston, Dorothea Dunbar, J. Everett Grass, Elsie F. Williams, Edith P. Atkins, Robert J. Fuller, Charles A. Holden, Theodore Chamberlin, William J. Clough, George D. Perry, H. Thomas Sommers, Arthur F. Adams, Jerold M. Ashley, Forrest B. Cole, Lane Dwinell, Fred A. Jones, George H. Edson, Francis E. Madden,

James E. Collins, Arthur L. Hamilton, Van H. Gardner, Fred Kelley, Albert J. Orr, Arkade Dusik, Henry S. Pushee, William E. Green, Kenneth G. Bell, Suzanne Loizeaux, Jesse A. Barney, Fayne E. Anderson, Harry D. Sawyer.

COOS COUNTY: Oliver A. Dussault, Edward F. Hinchey, Elisabeth H. Mason, Henry M. Moffett, Romeo Desilets, Harry L. Henderson, Clara A. Lazure, Harry E. Bartlett, Hilda C. F. Brungot, Marie A. Christiansen, Arthur A. Bouchard, Jennie Fontaine, Rebecca Gagnon, Bernard J. Roy, George B. Currier, Fred H. Gould, Oriel R. Falkenham, Linwood O. Hamlin, James A. Fraser, Walter J. Malloy, Raymond G. Kimball, John B. Evans, Lester E. Moses, Emil W. Johnson, Harold T. Baxter, Ismond D. Ellingwood, Alton A. Potter, Harvey H. Converce, Grace M. Phelan, Claude J. Baker, Burritt H. Hinman, Ada C. Taylor.

Leaves of Absence

Mr. Williams of Washington was granted leave of absence for the week on account of death in the family.

Mr. Moffit of Berlin was granted leave of absence for the week on account of illness.

Mrs. Studley of Rochester was granted leave of absence for the week on account of illness.

Mrs. Payette of Portsmouth was granted leave of absence for the week on account of illness.

Mr. Sawyer of Woodstock was granted leave of absence until further notice.

Resolution

Mr. Pickett of Keene offered the following resolution:

Resolved, That the Honorable Senate be notified that the House of Representatives has assembled in accordance with the proclamation of His Excellency, the Governor, and is now ready to proceed with the business of the session.

On a *viva voce* vote the resolution was adopted.

Concurrent Resolution

Mr. Turner of Keene offered the following concurrent resolution:

Resolved, By the House of Representatives, the Senate concurring, that the joint rules of the last regular session of

the Legislature be the joint rules of this special session of the Legislature, unless otherwise ordered, except that no bill, resolution, claim outstanding on the first day of the session, or petition relating to new business, shall be received in either branch of the Legislature, unless reported by the Committee on Rules of either branch: provided that this rule may be suspended in either house whenever a two-thirds of the whole number of elected members shall, on division taken, vote in favor thereof, and not otherwise.

The question being on the concurrent resolution.

(Discussion ensued)

Mr. Barry of Wilton spoke in favor of the concurrent resolution.

On a *viva voce* vote the resolution was adopted, and sent to the Senate for concurrence.

Mr. Laraba of Portsmouth offered the following resolution:

Resolved, That the rules of the House of the last session be the rules of the House for the present session until otherwise ordered by the House, provided, however, that committees may hold public hearings when notice of such hearing shall be advertised at least one day in the Journal of the House.

On a *viva voce* vote the resolution was adopted.

Mrs. Banfield of Moultonborough offered the following resolution:

Resolved, That the Honorable Senate be notified that the House of Representatives will be ready to meet the Senate in joint convention at 12 o'clock for the purpose of receiving His Excellency, the Governor, and any communication he may be pleased to make, and that a Joint Committee of five consisting of three on the part of the House and two on the part of the Senate be appointed to wait upon His Excellency and inform him accordingly.

On a *viva voce* vote the resolution was adopted.

The Speaker appointed as members on such committee, on the part of the House, Mrs. Banfield of Moultonborough and Messrs. Boynton of Hillsborough and Pickett of Keene.

Mrs. Mason of Berlin offered the following resolution:

Resolved, That unless otherwise ordered, the hours of assembling of the House be at 11:00 o'clock in the forenoon and 3:00 o'clock in the afternoon, Standard Time, provided, however, that if the House is still in session upon the commencement of Daylight Saving Time, the House shall operate during the same hours, Daylight Saving Time.

On a *viva voce* vote the resolution was adopted.

Joint Convention

The Honorable Senate then came in and the two branches being in convention, His Excellency, the Governor, accompanied by the Honorable Council, then appeared and delivered the following message:

ADDRESS OF GOVERNOR ADAMS TO THE SPECIAL SESSION OF THE LEGISLATURE

April 25, 1950

For many months I have looked forward to this occasion. Your return to Concord has been awaited with anticipation not only by us here in government but literally by all the people of New Hampshire. Once more it comes time for you to pick up the reins of government and move forward.

We can now see the results of your work in the session last year in better perspective. From my own experience, I can say that your efforts are widely known outside this state. Your decision to have done with preaching economy, and instead to practice it, has served as an example in many states where legislatures have had less courage.

The results of the reductions in expenditures in our government have been carefully weighed. While there have been instances when some adjustments have had to be made in the funds available for certain of our activities, in the main I can report that we have lived within the appropriations. We have actually done better than that. Present indications are that State departments will have unused balances approaching one

hundred thousand dollars ($100,000) at the end of the fiscal year. The credit for these economies can be shared not only by this Legislature but also by the administrative departments as well. Your Special Committee to Review the Financial Needs of the Several Departments has contributed to the results. In addition, the heads of the department, in their efforts to adjust themselves to available funds, have achieved a higher level of both economy and efficiency.

Reorganization

Pursuant to the Act authorizing me to make a thorough study of the operations of this government, to promote even greater efficiency, to coordinate its services, and to bring about further economics, I am prepared to make recommendations which, in my judgment, will achieve the objectives of this law. I believe our State is unique in having a large and enthusiastic citizen participation in government. A Commission of nine members, appointed in accordance with the Reorganization Act, has devoted an extraordinary amount of voluntary time to the accomplishment of its assignment. That Commission has had the help of an Advisory Committee of thirty-four members who have also contributed a great deal of time and effort to this work, again without remuneration. These people have carried through their duties without partisanship and in harmony. Most of the decisions were unanimous. Among this group are members of both political parties with experience covering a wide variety of activity, both inside and outside the field of government. The work which has been completed by this Commission represents the work *of* New Hampshire Hampshire people *for* New Hampshire people.

The Commission's work has been done economically. Its entire cost is estimated to be about fifteen thousand dollars ($15,000). So far as we know, this is the least amount expended for a complete reorganization program by any state appropriating funds for that purpose during 1949.

This Commission proposes that we reduce the number of State agencies from 83 to 43. This is accomplished by consolidating, coordinating, and in certain instances abolishing agencies no longer needed. Each proposal has been carefully considered, and discussed freely and openly not only with de-

partment heads concerned but in public hearing, and with groups of interested citizens. The results of the adoption of the proposals can be definitely measured in terms of greater efficiency and further economy in the operation of your government.

I should like to call your attention to some of the recommendations which are being made, the enactment of which are especially important.

You will recall that there were certain disturbing conditions which existed before the beginning of this administration which were in need of correction. In order to provide further information concerning the means by which these situations could be corrected, you appointed a special committee. This committee has made a report to you and to me. I should like to make it clear that its recommendations are followed out in the bills which are being presented to you. It is my opinion that the adoption of the legislation regarding the Department of Administration and Control not only follows the recommendations of your committee, but will go even further in safeguarding the spending of public funds, both for the general purposes of government and for capital projects. The objectives of this legislation are of the utmost importance. The satisfactory operation of our government depends upon a system of close checks and balances. Until now, these controls have not been adequate.

The changes that are being proposed provide for such reasonable checks and balances as are indispensable to the proper safeguarding of public funds. The business procedures of the proposed department have been most carefully considered. The suggested changes will contribute to the better handling of all government accounts.

In my opinion, if we are to minimize the risk of repeating some of the costly mistakes of the past, we badly need this legislation.

The Commission has recommended a department of Public Works and Highways. To some considerable extent the creation of this department will further protect the state in its outlays for capital construction projects. In addition, we believe it will yield us more for our money. From experience

we already have had in the use of the Highway Department as a Public Works agency, we know that it can save us considerable money. We have seen one instance in the matter of the reconstruction of the State Liquor Warehouse. An even greater benefit will be derived from the broader use of our skilled technical employees. Safeguards are provided which will require strict compliance with the constitutional and legislative prohibitions against spending Highway funds for any other purposes whatever.

In the field of natural resources, a council on Resources and Development is being recommended. This council provides for consultation and advice between a number of separate agencies which are related by common problems. This relationship should be of great mutual benefit to the agencies themselves and of considerable help in the promotion of conservation generally throughout our state. These resources, such as water, soil, growing timber, are our most valuable physical assets.

A comprehensive coordination of State institutions has been recommended. This relates particularly to better business management. I am sure that we shall find this legislation will effectively promote both greater efficiency and more orderly business administration in all these institutions.

There are changes also in the administration of the collection of certain taxes which, if adopted, will provide some economics and better procedures.

The Reorganization Commission requested that the Governor, at such time as adequate alternative accommodations in the Soldiers' Home could be found, should make such recommendations as might be most appropriate. Up to the present time, no satisfactory alternative has been found. Therefore, no recommendation concerning this matter is being made at this time.

There are many other consolidations and changes which I shall not mention in detail, but which I believe will provide a more orderly government. It has been many years since our state has carefully reviewed its governing agencies. In fact, the State Government has never been thoroughly overhauled since its original organization. The adoption of the proposals

being placed before you will assist those who will operate your government in future years to obtain better results.

There are other changes in government which will occur to those who come after us. In many instances they will wonder why we did not adopt them now. Keeping our government up-to-date is a continuing obligation, however, on the part of the people who are entrusted to operate it. Representative government is a trial and error process. It ought to be improved constantly whenever deficiencies become evident. We cannot make it perfect, but we can try to improve it. In these days when representative government is under attack, we who believe in it have a great obligation to require it to do better work and to *make* it work. We should not delay changing it when changes give indication of improving it.

You will ask many times "What is this change going to save? How will the transfer of this function, or that activity, give better service?" Often, these answers are not easy to find. Some of them can only be found from the experience gained in actual operation.

Some things we do know. While there is little reduction anticipated in the total number of present personnel, there will be better and more effective use of our total personnel resources. There will be more effective handling of the materials, equipment, and property of the State, of its maintenance, and of new construction. There is evidence that the adoption of these proposals will definitely reduce the expenses of government. The management and use of State purchases amounting annually to four and one half million dollars ($4,500,000) can be improved. The supervision of a million dollars ($1,000,000) or so spent yearly on capital contracts can be strengthened. Savings in these two areas alone certainly can be measured in the hundreds of thousands of dollars. Other savings will develop from the closer relationships proposed between smaller departments and larger ones, and by better office procedures. Most of you hold the view with substantially all the people of the State familiar with these proposals that there are real economies to be gained from reorganizing our agencies. I share that view. You can be assured that all of us in State Government will take the utmost pains to derive the maximum benefits from the adoption of these proposals. While these savings

cannot materialize instantly, and must have time to make themselves felt, eventually they should be sustantial and should begin to appear even during the coming year.

We have already accomplished a great deal in bringing about needed administrative changes which you have authorized. We have taken advantage of the best suggestions that you and others have offered in the study of our larger departments in an effort to obtain better results with the use of less money. While it is difficult to express the results which we have obtained in dollars and cents, they have nevertheless been considerable. The record of the year just passed, both on your part and on ours, gives reason for assurance that the results which will be obtained in this Special Session will be put to work, by all those responsible for the administration of government, with determination to make these plans succeed and to attain the results you expect.

It is in the spirit of jointly seeking the most prudent way of operating our State Government that we meet together today.

Reclassification

On February 17, 1949 you adopted a resolution (S. J. R. 3, ch. 326, 1949) providing that the Governor and Council should revise the present classification system. At the same time you requested that body to make a study of the Classification Act itself. I herewith submit to you the report of Governor and Council pursuant to the foregoing resolution. This report has been approved by this body, signed and filed with the Secretary of State. I quote from this report:

> In order to carry out the purpose of the resolution, the Governor and Council caused to be created an Advisory Committee on Reclassification composed of personnel executives holding positions of responsibility in private industry in the State, together with the State Personnel director and representatives of state employees. The work of this Committee extended over nearly a year and involved a substantial number of meetings and a considerable amount of investigation and consulation concerning both the present classification system and the Classification Act itself.

Its findings and recommendations have been fully set forth in a report which has been transmitted to the members of the General Court, to heads of the administrative departments and institutions, and to representatives of State employees. Subsequent to the publication of the report, hearings have been held, giving opportunity for state officials and employees to be heard concerning recommendations of the Advisory Committee.

In order to develop the nature of the personnel system proposed by the Committee, a State Employee Job Analyst and Rating Committee was appointed consisting of State employees experienced in evaluating the various occupations in state service. In large measure, this committee has developed a system of classifying State employees which can be adopted upon the activation of the personnel system which has been proposed. It should be recognized that this work has been largely preliminary and exploratory. Many tests have been made in evaluating many positions in the state service. To a considerable extent, results satisfactory both to the committee, the department heads, and the employees themselves have been obtained, although it should be pointed out that a number of changes will necessarily have to be made. It will not be possible to determine specifically what all of these changes will be until the plan is actually in operation.

It then can be tested so that it will operate fairly for each employee in the State service.

Governor and Council, following a hearing in which the full Advisory Committee explained in detail the nature of its report, and after consulting with the heads of the administrative departments and representatives of employees, have reached the conclusion that the personnel system proposed by the Advisory Committee ought to be adopted. It is recognized that the draft bill set forth in the report will be subject to some minor amendments. Some amendments have already been made by this body and others have been adopted upon suggestions made by representatives of the employees.

Governor and Council have carefully considered the status of the present classification system not only with regard to the various classifications themselves but also State employees' wage and salary scales. We are impressed with the need for modernizing the

classification system. Under the guidance of the Personnel Board it is believed that, based on the preliminary work of the Advisory Committee, a system satisfactory to the State and its employees can and will be devised. We are particularly impressed with the studies which have been made respecting the wage and salary scales as they relate to similar rates in corresponding occupations in the other New England states. We are of the opinion that the work of charting these rates has been carefully and conscientiously accomplished and that the statistical material set out in the report is accurate and factual. This being so, we are concerned with the fact that the wage and salary scales of State employees in New Hampshire appear to be seriously out of line with those existing in states which are economically comparable. There appears to be no valid reason why the rates of pay for public service in New Hampshire should be materially less than those existing in the states of Maine, and Vermont, for example. The Advisory Committee has prepared charts showing the comparisons of rates of wages for various combinations of New England states. It is our opinion that the most appropriate comparison as between New Hampshire and her sister states is the relationship between New Hampshire and the combination of the states of Maine, Vermont and Rhode Island. The Advisory Committee has made exhaustive, and we believe accurate, studies of the amounts of money necessary to appropriate in order to adjust New Hampshire rates of wages to those commensurate with the rates prevailing in the foregoing three states. We have also given attention to the fact that many employees of our institutions, particularly those engaged in nursing and custodial care, are required to work hours far in excess of the number which other employees in comparable occupations in other institutions are required to work. Some of these hours ought to be reduced both in the interest of fairness and efficiency.

In the report of the Advisory Committee, the average rates of wages of State employees of Maine, Vermont, and Rhode Island as compared with the state of New Hampshire, are shown in Chart D. The additional appropriations required to adjust the wages of New Hampshire state employees to a level existing in the three foregoing states amount to approximately one million, one hundred fifty thousand dollars ($1,150,000), as shown in Appendix 3 as Plan B. In addition to the appropriations required

for salary increases under said plan, an estimated sixty-five thousand dollars ($65,000) of additional annual appropriations will be required to adjust inequalities in the hours of said institutional employees.

We are fully aware of the present financial condition of our government and its prospective income and expenses during the current and ensuing three years. Nevertheless, we believe that on the basis of all of the facts available to us, New Hampshire should immediately bring the rates of pay for employees in State service to a level comparable with those states having most nearly similar economic conditions. We therefore are of the opinion that the level of pay shown by the Advisory Committee in its schedule of estimated reclassification under Plan B is that most nearly in accord with our views.

The Governor and Council believe that all members of the legislature should be as accurately advised of the condition of the treasury as we are ourselves. We have caused a statement to be prepared which, according to the most careful estimates of the Comptroller and the Legislature Budget officer, is as accurate as is obtainable at the present time. A copy of this report is attached.

You will note that there are three columns of figures shown. At the head of each column is a notation showing the alternative plans which are considered. The recommendation of Governor and Council providing for the adoption of Plan B, so-called, will result in the balances set out in the middle column. The balances shown in this column assume the rate of spending for wages of classified employees (including the teachers at Plymouth and Keene) as provided under Plan B. In addition, the balances further assume the annual contribution for the revised Teachers' Retirement program. These expenditures will result in a decrease in working capital in the fiscal year ending June 30, 1951, of approximately one million, seven hundred fifty thousand dollars ($1,750,000). For the following fiscal year a decrease in such resources will amount to a similar reduction. You will note at this point that the State will no longer be able to meet its current obligations, either from its available resources or revenue, without one of two things happening: (1) a reduction in the budget, (2) increased revenues.

From this financial report it will be clear that if you accept the recommendations for the adjustment of wages for State employees as provided under Plan B, and the proposed amendment to the Teachers' Retirement Act, we shall have resources sufficient to take care of our obligations for the fiscal year ending June 30, 1951. Even though the present level of income is maintained, we shall have resources hardly sufficient to meet our obligations during the fiscal year ending June 30, 1952. We believe that we should point out that on the basis of *present estimates of revenue*, we shall not be in a position to take care of our obligations beyond June 30, 1952 without either reducing the budget or raising additional revenue.

However, Governor and Council are of the opinion that the state of New Hampshire should accord its employees treatment commensurate with that accorded to employees in other states having similar economic conditions. It is therefore our unanimous recommendation that:

1. The personnel system proposed by the Advisory Committee on Reclassification, as may be amended, be adopted to supplant the present Classification Act and the Merit System Council.

2. As may be provided in the Act, a completely new classification system be established, based on the preliminary work which said Advisory Committee has accomplished. Such system, perfected under the jurisdiction of the Personnel Commission, should be thoroughly tested and revised in order to make it comprehensive, accurate, and suitable as possible.

3. The salary schedules applicable to the foregoing classifications should be thoroughly revised to a level commensurate with the plan above recommended, (Plan B), and for this purpose an estimated sum of one million, one hundred twenty-one thousand, nine hundred and eighty-two dollars ($1,121,982) (adjusting for wages of teachers at Plymouth and Keene and for changes in hours of certain institutional employees) should be appropriated to be made available for the fiscal year ending June 30, 1951. Deducting the amounts available in the self-sustaining departments, the appropriation from general funds will amount to eight hundred forty-four thousand, eight hundred six dollars ($844,806).

It is the opinion of Governor and Council that since the expiration of the emergency pay measure

which terminated on July 1, 1949, there has existed some considerable hardship among many employees in State government. We feel that the Legislature, in considering the recommendations herein proposed, posed, might well wish to give consideration to the fact that during the current fiscal year the employees of State Government have been paid even less for their services than they were during the previous year.

This completes the report of Government and Council concerning Reclassification.

Teachers' Retirement System

While our school teachers are not technically employees of the State Government, but of local government, they are nevertheless regulated by State law in the courses they teach and the qualifications they must meet. It is therefore reasonable that the State help to provide a retirement benefit for school teachers comparable to that received by other public employees. The average teacher retirement benefit is less than half received by a policeman or a fireman, even though both these groups of municipal employees, like the teachers, have a retirement fund partly supported by State appropriation. The increase in the annual contribution to the Teachers' Retirement fund would be approximately one hundred and thirty thousand dollars ($130,000). In another report being submitted to you, one of the subcommittees of the Reorganization Commission indicates an annual shortage of at least two hundred teachers in the elementary grades. This is a most unsatisfactory situation, and we shall have to find a remedy for it. Improving the level of retirement allowance is certainly one way to attract more young people into the teaching profession.

State Highways

While I know it is your wish to restrict the number of bills considered to the minimum, there are one or two other matters which should have your attention. The Highway Department is operating in the face of great odds. The character of the winter just passed has resulted in the most difficult road conditions in the history of the Department. This came at a time when repairs too long delayed by reason of the war were badly needed. We should give attention to these conditions.

The special highway sinking fund, financed by the one cent gasoline road toll can take care of the retirement of highway bonds presently outstanding and, also the retirement of an additional issue of a million dollars ($1,000,000). I recommend that you authorize the issue of a million dollars of such bonds which can be retired by this special sinking fund without additional taxes. The proceeds of this issue can be used during 1950 for construction and much needed repairs.

Housing

As a State, we have assumed some responsibility in relation to the financing of certain housing developments where conditions have become critical. I recommend the passage of legislation which will make it possible for the transfer of our public housing development to the Federal government.

Recent legislation under the Federal Housing Act makes funds available for the University of New Hampshire in the construction of much needed dormitories. We should pass an act enabling our University to borrow a limited sum for this purpose.

Conclusion

This Special Session of the Legislature is called principally to consider the recommendations which are being submitted to you for the reorganization of your State Government. In the poll taken by the Speaker, you have signified your intention to deal with these proposals, with State Personnel and wage matters, and with an amendment to the Teachers' Retirement Act. This program constitutes the principal business of this session. I am sure that you will wish to dispose of this work with as much dispatch as possible, consistent with the care and attention which these matters deserve. The questions considered at this session ought to be restricted in order to give our attention more fully to the principal objectives that we have here to consider. To repeat, these are the improving of our organization and our methods. In this work, I feel that we we have the backing of the people of New Hampshire. I know that we shall have your careful consideration of these measures. They will not be found perfect. They are the work of human minds sincerely intent on improving our government. As you have many times indicated, these objectives are worth-

while. If you can find any better means of accomplishing these ends, let us consider and adopt them.

In closing, I pay tribute to all of those who have contributed to the great amount of work that has already been accomplished in advance of this session. There are many who are gathered here in this hall today as members of the Senate or of this House. All of you have taken hold of this work with interest and enthusiasm and some of you, serving without any pay, have given to the State over thirty days of your time and energy within the last ten months.

The efforts of the Reorganization Commission, the Advisory Committee, the many consultants, a host of interested witnesses at its many hearings, its staff members, have produced a momentous piece of work. I pay respectful tribute to all these public servants.

You who are members of this General Court, who have been willing to leave your ordinary duties to come here at little remuneration, you are a part of a system of government which is still as solid as the granite in these hills. As long as there are people, able and alert, who will continue to devote themselves to problems such as now lie before you, these institutions will never crumble.

STATE OF NEW HAMPSHIRE

Effect of Plans A, B and C and the Normal Contribution for Teachers' Retirement on the General Budget Funds and General Sinking Fund

	Plan A and Teachers Normal Contribution	Plan B and Teachers Normal Contribution	Plan C and Teachers Normal Contribution
Total estimated balances June 30, 1950	$3,303,226.00	$3,303,226.00	$3,303,226.00
Total estimated revenue for Fiscal 1950-1951	11,859,000.00	11,859,000.00	11,859,000.00
Total Available	$15,162,226.00	$15,162,226.00	$15,162,226.00
Requirements—Fiscal 1950-1951			
Net appropriations—authorized	$11,586,407.00	$11,586,407.00	$11,586,407.00
Bond and interest—outstanding issues	1,034,415.00	1,034,415.00	1,034,415.00
Additional salary—reclassification	301,034.00	844,807.00	1,285,070.00
Teachers retirement—Normal contribution	130,000.00	130,000.00	130,000.00
Total requirements	$13,051,856.00	$13,595,629.00	$14,035,892.00
Estimated Balance June 30, 1951	$2,110,370.00	$1,566,597.00	$1,126,334.00
Total estimated revenue for Fiscal 1951-1952	$11,850,000.00	$11,850,000.00	$11,850,000.00
Total Available	$13,960,370.00	$13,416,597.00	$12,976,334.00

Requirements—Fiscal 1951-1952			
Estimated—Net Appropriations	$11,600,000.00	$11,600,000.00	$11,600,000.00
Bond and Interest—outstanding issues	974,155.00	974,155.00	974,155.00
Interest only—New Bond issues	100,000.00	100,000.00	100,000.00
Additional salaries—reclassification	301,034.00	844,807.00	1,285,070.00
Teachers retirement—Normal contribution	130,000.00	130,000.00	130,000.00
Total requirements	$13,105,189.00	$13,648,962.00	$14,089,225.00
Estimated Balance June 30, 1952	$855,181.00	**$—232,365.00**	**$—1,112,891.00**
Total estimated revenue for 1952-1953	$11,850,000.00	$11,850,000.00	$11,850,000.00
Total Available	$12,705,181.00	$11,617,635.00	$10,737,109.00
Requirements—Fiscal 1952-1953			
Estimated net appropriations	$11,600,000.00	$11,600,000.00	$11,600,000.00
Bond and Interest—outstanding issues	919,375.00	919,375.00	919,375.00
Interest only—New bond issues	100,000.00	100,000.00	100,000.00
Additional salaries—reclassification	301,034.00	844,807.00	1,285,070.00
Teachers retirement—Normal contribution	130,000.00	130,000.00	130,000.00
Total requirements	$13,050,409.00	$13,594,182.00	$14,034,445.00
Estimated Balance June 30, 1953	**$—345,228.00**	**$—1,976,547.00**	**$—3,297,336.00**

The above statement shows the expected effect on General State Funds including General Sinking Fund, but not including Highway, Fish and Game, or Special Revenue Funds, if the Reclassification Plans A, B, or C, and the normal contributions only for the proposed Teachers' Retirement System were adopted. This statement makes no attempt to follow present fund accounting, but combines all General Revenue that would be available.

Comptroller's Office

April 14, 1950

On motion of Senator Reinhart of District No. 24, the convention rose.

House

Introduction of Bills

The following entitled bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

House Bill No. 1, An Act providing for a reorganization of the state government.

Read a first and second time, laid upon the table to be printed, and referred to the Joint Committee on Judiciary and Appropriations.

House Bill No. 2, An Act relative to construction, reconstruction and betterment of primary and secondary highways.

Read a first and second time, laid upon the table to be printed, and referred to the Committee on Public Works.

House Bill No. 3, An Act providing for the construction of housing facilities for students and faculty at the University of New Hampshire.

Read a first and second time, laid upon the table to be printed, and referred to the Committee on Education.

House Bill No. 4, An Act relative to water pollution.

Read a first and second time, laid upon the table to be printed, and referred to the Committee on Public Health.

House Bill No. 5, An Act making additional appropriations.

Read a first and second time, laid upon the table to be printed, and referred to the Committee on Ways and Means.

House Bill No. 6, An Act defining certain terms under the fish and game laws.

Read a first and second time, laid upon the table to be printed, and referred to the Committee on Fisheries and Game.

House Bill No. 7, An Act relating to powers of certain municipal and private corporations and certain counties, and clarifying a certain provision of the motor vehicle laws.

Read a first and second time, laid upon the table to be printed, and referred to the Committee on Executive Departments, and Administrations.

Resignation

The following resignation was read:

Concord, N. H.
January 5, 1950

To CYRIL J. FRETWELL
Clerk of the House of Representatives

Concord, New Hampshire

Dear Mr. Fretwell:

I hereby tender my resignation as a member of the House of Representatives from Ward 6, Concord, the same to be effective forthwith. Will you please bring this resignation to the attention of the House of Representatives when it is next convened.

Very truly yours,

DONALD W. SALTMARSH,
Member House of Representatives
Concord, Ward 6

On motion of Mr. Nash of Concord the resignation was accepted.

Qualified

Messrs. Albert Ayotte of Franklin, Burham Carter of Cornish, Joseph H. Colby of Boscawen, Loui Sanborn of Center Harbor and Robert C. Campbell of Milford, having appeared before His Excellency, the Governor, appeared during the session and took their seat as members.

Deceased Members

The Chair made note of the following members who had deceased since last adjournment:

The member from Manchester, Hon. John C. O'Brien.

The member from Ward 7, Concord, Hon. Charles G. Roby.

The member from Boscawen, Hon. Albert S. Hardy.

The member from Landaff, Hon. Roscoe J. Oakes.

The member from Center Harbor, Hon. Edward J.Obert.

Former member from Charlestown, Hon. Frank Hamlin.

Former member from Hanover, Hon. Howard N. Kingsford.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to adopt the following resolution:

Resolved, That the House of Representatives be informed that in pursuance of the proclamation of His Excellency, the Governor, the Senate has assembled and is now ready to proceed with the business of the Special Session.

The message further announced that the Senate had voted to adopt the following resolution:

Resolved, That the House of Representatives be notified that the Senate will be ready to meet the House in joint convention at 12:00 o'clock for the purpose of receiving His Excellency, the Governor, and any communication he may be pleased to make and for the transaction of such other business as may properly come before the convention.

The message also announced that the Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolution:

Resolved, By the House of Representatives, the Senate concurring, That the joint rules of the last regular session of the Legislature be the joint rules of this special session of the Legislature, unless otherwise ordered, except that no bill, resolution, claim outstanding on the first day of the session, or petition relating to new business, shall be received in either branch of the Legislature, unless reported by the Committee on Rules of either branch; provided that this rule may be suspended in either house whenever two thirds of the whole number of members shall, on division taken, be in favor thereof, and not otherwise.

Committee Appointments

The Chair made the following announcement with regard to committee appointments.

The committee appointments of the regular session will continue for the special session.

The following appointments are made to fill vacancies.

To Committee on Ways and Means, Mr. Downs of Conway in place of Mr. Elliott of Milford, deceased; to the Committee on Executive Departments and Administration, Mr. Campbell of Milford in place of Mr. Downs, transferred; to Committee on Public Works, Mr. Colby of Boscawen in place of Mr. Hardy of Boscawen, deceased; to Committee on Labor, Mr. Ayotte of Franklin in place of Mr. Douphinett of Franklin, deceased; to Committee on Education, Mr. Carter of Cornish in place of Mr. Pillsbury of Manchester, resigned. Mrs. Atwood of Sanbornton to move up to vice chairman's position on said committee; to Committee on Fish and Game, Mr. Sanborn of Center Harbor in place of Mr. Obert of Center Harbor, deceased; to the Committee on Appropriations, Mr. Paquette of Nashua in place of Mr. Baker of Landoff, deceased; to the Committee on Executive Departments and Administration, Mr. Martel of Manchester in place of Mr. Paquette, transferred.

Resolution

Mr. Perkins of Charlestown offered the following resolution:

We have, with regret, to report the death, on August 21, 1949, of Mr. Frank W. Hamlin of Charlestown, at the age of eighty-six years, one month and seven days.

Representative from Charlestown in 1903, Senator from the eighth district in 1909. Representative again, from 1941 to 1947. Member of the Constitutional Convention of 1918. Justice of the Municipal Court.

A clerk at the age of seventeen, owner of the business at twenty-seven, he became Treasurer of the town, Treasurer and Warden of St. Luke's Episcopal Church, Treasurer of the Silsby Free Public Library. He was President and Director of the Connecticut River National Bank for fifty years lacking three months.

A fine type of New Hampshire Yankee, a gentleman interested in Town, County, State and National affairs and in each individual with whom he came in contact, therefore be it

Resolved, That we, the members of the House of Representatives, mourn the passing of our former member and pay tribute to his faithful public service, and be it further

Resolved, That a copy of this resolution be sent to his nephew, Judge Richard F. Perry, Charlestown, N. H.

The resolution was unanimously adopted by a rising vote.

Report of Committee on Adequacy of Appropriations and Revenues

This report was ordered printed in Appendix of the Journal.

On motion of Mr. Wadleigh of Milford, the rules of the House were so far suspended as to allow business in order this afternoon to be in order at the present time.

On motion of Mr. Sanborn of Wakefield, at 1:00 o'clock the House adjourned.

WEDNESDAY, APRIL 26, 1950

The House met according to adjournment.

Prayer was offered by the Chaplain.

Almighty Father, Who dost inspire us with the vision of a more perfect society here on earth, in which justice, righteousness and brotherhood shall be established, and the relationships of mankind organized according to Thy will: Grant us as laborers with Thee, both the strength and the courage to always think those things which are just, and do those things which are right, that so through us Thy will may, in a larger measure, be established upon the earth; through Jesus Christ our Lord. Amen.

Leaves of Absence

Mr. Green of Orford was granted leave of absence for the day on account of important business.

Mr. Suosso of Concord was granted leave of absence for Wednesday and Thursday on account of important business.

Mrs. Corliss of Manchester was granted leave of absence until further notice on account of illness.

Committee Change

The following change in committee appointment was announced by the Speaker.

Mr. Bluitte of Raymond, to the Committee on Education, in place of Mr. Saltmarsh of Concord, resigned.

Concurrent Resolution

Mr. Holden of Hanover offered the following concurrent resolution:

Be it Resolved by the House of Representatives, the Senate concurring, That the General Court meet in morning session at 10:00 o'clock of each day and in afternoon session at 3:00 o'clock of each day.

The question being on the concurrent resolution.

(Discussion ensued)

Messers. Holden of Hanover, Turner of Keene and Barry of Wilton, spoke in favor of the concurrent resolution.

On a *viva voce* vote the concurrent resolution was adopted, and sent to the Senate for concurrence.

Resolutions

Mr. Nelson of Goshen offered the following resolution:

Whereas, we have learned of the death of Mr. T. Charles Williams, of Bradford, son of David E. Williams, Representative from Washington, therefore be it

Resolved, That we, the members of the House of Representatives, hereby express our deep sympathy to our fellow member in his bereavement, and be it further

Resolved, That the Clerk of the House transmit to Representative Williams a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

Mr. Sawyer of Manchester offered the following resolution:

Whereas, we have learned of the death of Albert J. Precourt, of Manchester, former Representative from Manchester and former member of the Governor's Council, a man whose activities and participation in civic affairs were not only numerous but greatly beneficial to the public welfare of his city and state, therefore be it

Resolved, That we, the members of the House of Representatives, mourn the passing of our former fellow member, and pay tribute to his many accomplishments, and be it further

Resolved, That we extend our heartfelt sympathy to his daughter, Mrs. Edwin A. Norton, in her bereavement, and be it further

Resolved, That the Clerk of the House transmit to her a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford, the rules of the House were suspended to allow business in order this afternoon to be in order at the present time.

On motion of Mr. Edson of Lebanon at 11:25 o'clock the House adjourned.

THURSDAY, APRIL 27, 1950

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God, the God of the people of this great land, the giver of the principles that have made us a great people among the peoples of the world, be Thou with us in our special need of Thee at this time. Save us from the error of thinking of bigness as greatness. May we not look upon the bigness of our wealth, our industries, our scientific achievement, and institutions as all Thou dost require of us. Help us to be great in faith, great in devotion to Thee and rich in the spiritual things of life. May the Master's principles of righteousness and justice characterize our greatness as individuals and as a people, through Jesus Christ our Lord, Amen.

Leave of Absences

Messrs Washburn of Bartlett and Tolman of Nelson was granted leave of absence for the day on account of important business.

Mr. Giesel of Manchester was granted leave of absence for the day on account of attending a funeral.

Committee Report

Mr. Swain of Barrington for the Committee on Public Works, to whom was referred House Bill No. 2, An Act relative to construction, reconstruction and betterment of primary and secondary highways, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill referred to the Committee on Appropriations under the rules.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had passed the following concurrent resolution, in the passage of which it asked the concurrence of the House of Representatives:

Concurrent Resolution

Resolved by the Senate, the House of Representatives concurring, That the Special Legislative Committee appointed under concurrent resolution adopted in January, 1949, to investigate state construction with Standard Construction Company and others, and other related matters, which committee was authorized to continue its investigation until December 31, 1949, be and is hereby reactivated and authorized to continue its investigation until December 31, 1950. Said committee shall report its findings, conclusions and recommendations for remedial legislation or other suitable legislative action to both branches during the present special session or to the next regular session prior to December 31, 1950.

On motion of Mr. Edson of Lebanon the House concurred in the concurrent resolution.

The message also announced that the Senate had voted to adopt the following resolution:

Resolved, That the Senate meet at 10 A. M. in the morning and 2 P. M. in the afternoon, unless otherwise ordered by the Senate.

Resolutions

Mrs. Dondero of Portsmouth offered the following resolution:

Whereas, we have learned of the illness of Marion B. Corliss, Representative from Ward 1, Manchester, therefore be it,

Resolved, That we, the members of the House of Representatives, hereby extend our sympathy to our fellow member in her illness and our regret at her absence from our meetings, and be it further

Resolved, That we extend our best wishes for a speedy recovery to health with the hope that she will soon return to be with us at this Special Session of the Legislature, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Representative Corliss.

On a *viva voce* vote the resolution was adopted.

Mrs. Dondero of Portsmouth offered the following resolution:

Whereas, we have learned of the death of Mrs. Lillian Barrett, wife of Andrew Barrett, former Representative from Portsmouth for several sessions, therefore be it

Resolved, That we, the members of the House of Representatives, hereby express our deep sympathy to our former fellow member in his bereavement, and be it further

Resolved, That the Clerk of the House transmit to Mr. Barrett a copy of these resolution.

On a *viva voce* vote the resolution was adopted.

Mr. Evans of Lancaster offered the following resolution:

Whereas, we have learned of the death of Mr. Fred Peaslee of Guildhall, Vermont, son of Bert L. Peaslee, Representative from Merrimack, therefore be it

Resolved, That we, the members of the House of Representatives, hereby express our deep sympathy to our fellow member in his bereavement, and be it further

Resolved, That the Clerk of the House transmit to Representative Peaslee a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

Appointment of Delegation

The Speaker appointed the following members as a delegation to attend the funeral of Harry D. Sawyer of Woodstock.

Mr. Hamilton of Lisbon, Miss Loiseaux of Plymouth, Mr. Willey of Plymouth, Mr. Grass of Franconia, Mr. Brown of Ashland, Mr. Sommers of Holderness, Mr. Madden of Lincoln, Mr. Kelley of Littleton, Mr. Whittier of Bethlehem.

On motion of Mr. Wadleigh of Milford, the rules were suspended to allow business in order this afternoon to be in order at the present time, and when the House adjourns today it adjourn to meet Tuesday morning at 10:00 o'clock (Daylight Time).

On motion of Mr. Eldridge of Exeter at 10:30 o'clock the House adjourned.

TUESDAY, MAY 2, 1950

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God, in whom we live and move and have our being, Who art within our thoughts and our desires, and Who dost know and understand the motives that determine our actions: Grant that in all our ways and doings we may ever remember that Thou seest us, and may always have grace to know and perceive what things Thou wouldst have us do, and strength to fulfill the same. Guide us, O Lord, in the activities of this day that the welfare of our State may be advanced and Thy name be glorified. Amen.

Leaves of Absence

Mr. Hambleton of Goffstown was granted leave of absence for the day on account of important business.

Messrs. Suosso of Concord and Stockland of Dover were granted leave of absence for the week on account of important business.

Committee Report

Mr. Besse of Concord, for the Committee on Public Health, to whom was referred House Bill No. 4, An Act relative to water pollution, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to non-concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 511, An Act relative to itinerant retailers of tobacco products.

Resolutions

Mr. Henderson of Durham offered the following resolution:

Whereas, the House of Representatives has had several members taken by death since our final adjournment last year, and

Whereas, it is the desire of the members of this House to honor the memory of said deceased members by the adoption of proper resolutions, Now Therefore be it

Resolved by the House of Representatives, That the Speaker appoint from the membership a committee of five to prepare and present for action suitable and fitting resolutions for all said departed members in order that this House may record a tribute to the high esteem in which they were held by us all.

On a *viva voce* vote the resolution was adopted.

The Speaker appointed, as members on such committee, Messrs. Henderson of Durham, Wadleigh of Milford, Black of Bennington, Molloy of Somersworth and Smith of Meredith.

Mrs. Brungot of Berlin offered the following resolution:

Whereas, our fellow member, Hon. Henry Moffett of Berlin, familiarly known to many of us as "Uncle Henry," is confined by illness and unable to attend the special session;

Resolved, That this House extends its best wishes to our fellow member with the hope that he may have a speedy recovery and soon rejoin our sessions,

Further Resolved, That the Clerk transmit a copy of this resolution to Mr. Moffett.

On a *viva voce* vote the resolution was adopted.

Concurrent Resolution

Mr. Pickett of Keene, with the concurrence of the Committee on Rules, offered the following concurrent resolution:

Resolution memorializing the Postmaster General of the United States,

Whereas, for the purpose of economy the Postmaster General has authorized the curtailment of the postal deliveries, and

Whereas, such curtailment of postal service will seriously affect the citizens of this State, Therefore be it

Resolved, That the House of Representatives and Senate of the State of New Hampshire in General Court convened, do hereby urge the Postmaster General of the United States to find other means for economies in the postal department and to order the return of the cuts in postal service; and be it further

Resolved, That the Secretary of State forward a copy of these resolutions to each of the Senators and Representatives of this state in the Congress of the United States, and to the Postmaster General.

The question being on the concurrent resolution.

(Discussion ensued)

Mr. Pickett of Keene spoke in favor of the concurrent resolution.

Mr. Sanborn of Wakefield spoke against the concurrent resolution.

On a *viva voce* vote the concurrent resolution was not adopted.

Mr. Angus of Claremont asked for a division.

A division being held, 124 members having voted in the affirmative and 186 members having voted in the negative, the concurrent resolution was not adopted.

Mr. Dwyer of Manchester demanded the Yeas and Nays and the roll was called with the following result:

Yeas, 128

HILLSBOROUGH COUNTY: Black, Hambleton, Reed of Goffstown, Adams of Greenfield, Doonan, Crosby, Danforth, Geisel, Dwyer, Sweeney, Fitzgerald, Kean, Healy of Manches-

ter, Ward 5, Kazakis, Malatras, Shea of Manchester, Cavanaugh, Ecker, Downey, Heroux, O'Connor, Sullivan of Manchester, Ward 7, Simard, Cary, Gagnon of Manchester, Roche, Roukey, Laflamme of Manchester, Daniel of Manchester, Cannon, Campbell, Cooper, Ramsdell, Landry, Belcourt, Chasse, Maynard, Paquette, Betters, Dupont, Lavoie, Cormier, Grandmaison, Cote, Shedd, Myhaver, Osborne of Weare.

CHESHIRE COUNTY: Walker of Hinsdale, Willard, Darling, Smith of Keene, Pickett, Forbes, Sherwin.

SULLIVAN COUNTY: Angus, Bissonnett, White, Riley, Walker of Grantham, Farmer.

GRAFTON COUNTY: Brown of Ashland, Willey, Holden, Ashley, Edson, Madden, Hamilton.

COOS COUNTY: Dussault, Hinchey, Mason, Desilets, Henderson of Berlin, Brungot, Rouchard, Fontaine, Gagnon of Berlin, Roy of Berlin, Falkenham, Fraser, Malloy.

ROCKINGHAM COUNTY: Clark, Corson, Heon, Hepworth, Fecteau, Richards, Labrance of Newmarket, Sewall, Alessi, Dondero, Payette, Foote, Hobbs, Leary, Ingraham of Portsmouth.

STRAFFORD COUNTY: Grimes, Marcotte, Crandall, Dodge, Flanagan, Webster, Horne, Dustin, St. Pierre, Lacasse, Lagueux, Letourneau.

BELKNAP COUNTY: McAllister, Simoneau, Bruno.

CARROLL COUNTY: Wiggin.

MERRIMACK COUNTY: Couture, Moore, Coakley, Ferrin, Corbett, Blodgett, Sawyer of Concord, Chase, Burke, LaBranche of Franklin, Ayotte, Lorden, Dudevoir, Mullaire, Bellerose, Lea.

Nays, 207

HILLSBOROUGH COUNTY: Wilson, French, Farwell, Ellsworth, Jones of Francestown, Tirrell, English, Boynton, Goodwin of Hollis, Goodwin of Hudson, Spaulding of Hudson, Reid of Litchfield, Daniels of Manchester, Martel, Auger, Getz, April, Lareau, Peaslee of Merrimack, Falconer, Wadleigh, Fletcher, Atherton, Boire, Brosnahan, Spalding of Nashua,

Thompson of New Ipswich, Bigelow, Cummings of Peterborough, Barry.

CHESHIRE COUNTY: Ring, Dort, Thomas, Miller, Spofford, Perry of Jaffrey, Aldrich, Amadon, Landers, Erwin, Turner, Zimmerman, Hall, Tolman, Andrews, Blake, Kershaw, Lang, Killeen, Rhodes, Billings, Ingham of Winchester, Thompson of Winchester.

SULLIVAN COUNTY: Perkins, Converse of Claremont, Baron, Stetson, Carter of Cornish, Nelson, Holmes of Langdon, Wirkkala, Cummings of Newport, Downing, Read of Plainfield, Russell, Callum, Williams of Washington.

GRAFTON COUNTY: Wadhams, Chamberlin of Bath, Whittier, Wheeler, Eggleston, Dunbar, Grass, Williams of Grafton, Atkins, Fuller, Chamberlin of Haverhill, Clough, Perry of Haverhill, Sommers, Adams of Lebanon, Dwinell, Collins, Gardner of Littleton, Kelley of Littleton, Orr, Pushee, Green of Orford, Bell, Loizeaux, Barney, Anderson.

COOS COUNTY: Bartlett, Christiansen, Currier, Gould, Hamlin of Dummer, Kimball, Evans of Lancaster, Moses, Johnson of Milan, Baxter, Ellingwood, Potter, Converse of Pittsburg, Phelan, Baker, Hinman, Taylor.

ROCKINGHAM COUNTY: Griffin, Graves, Persson, Eldredge, Elwell, Rathbone, Sanborn of Fremont, Weeks of Greenland, Root, Merrill, Underwood, Stevens, Parmenter, Carter of North Hampton, Colcord, Durell, Yeaton, Bluitte, Haigh, Peever, True, Durkee, Evans of South Hampton, Scamman, Waterhouse,

STRAFFORD COUNTY: Swain, Felker, Smalley, Henderson of Durham, Parker, Wormhood, Jones of Rochester, Studley, Fernald, Leach, Green of Rollinsford, Coffin, Cater of Somersworth, Malley, Brown of Strafford.

BELKNAP COUNTY: Perkins, Dearborn, Sanborn of Center Harbor, Weeks of Gilford, Kelley of Gilmanton, Hart of Laconia, Tilton of Laconia, Keller, Shannon, Thompson of Laconia, Brown of Laconia, Ewing, Ransom, Smith of Meredith, Smith of New Hampton, Atwood.

CARROLL COUNTY: Washburn, Downs, Hill, Lucy, Thompson of Effingham, MacGown, Wild, Banfield, Knox, Remick,

Hodgdon, Sanborn of Wakefield, Hart of Wolfeboro, Thibodeau of Wolfeboro.

MERRIMACK COUNTY: Phelps, Colby, Nicoll, Marden, Besse, Kennedy of Concord, Hurd, Nash, Tilton of Concord, Bunten, Greene of Concord, Nawn, Sargent, Towle, Connor of Henniker, Astles, Kenney, Spiller, Carr, Ferguson, Stapleton, Holmes of Salisbury, Yerxa, Savory, Stebbins.

And the concurrent resolution was not adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order this afternoon, to be in order at the present time, and bills be read by title only, and when the House adjourns today it adjourns to meet Wednesday morning at 10:00 o'clock.

Third Reading

House Bill No. 4, An act relative to water pollution.

Read a third time and passed, and sent to the Senate for concurrence.

On motion of Mr. Lea of Pembroke at 11:05 o'clock the House adjourned.

WEDNESDAY, MAY 3, 1950

The House met according to adjournment.

Prayer was offered by Rev. James McGrail, of Manchester, diocesan director of N. H. Catholic Charities drive.

Almighty and eternal God, through Whom authority is rightly administered, laws are enacted and judgments decreed, we, Thy grateful creatures, bow before Thee in reverence and heartfelt homage. Assembled here for the welfare of our state, we make an act of faith in Thy all-ruling providence and Thy divine Wisdom. We thank Thee in a special manner for that sentiment of religious respect which is here manifested by the legislators of our state in a world that too often forgets Thee, the Creator of all things and the Governor of the Universe.

We pray Thee to assist with Thy holy spirit of counsel and fortitude His Excellency, the Governor of our State, in his plan of reorganization for the welfare of all our people. Let the light of Thy Divine Wisdom direct the deliberations of our Legislature and shine forth in all the proceedings and laws framed for our rule and government.

May the blessing of Almighty God, the Father, the Son, and the Holy Spirit, descend upon our state and our people and remain with us forever. Amen.

Leaves of Absence

Mrs. Studley of Rochester was granted leave of absence for the day on account of attending a funeral.

Messrs. Nicoll of Bow and Reed of Goffstown were granted leave of absence for the day on account of important business.

Report on Municipal and County Government

The following report was ordered printed in the Journal:

REPORT OF COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

Sub-Committee on the Consolidation of County Jails and Houses of Correction

The Committee extends its thanks to the following persons and groups: The several County Commissioners whose suggestions and recommendations have been most helpful; the county solicitors who have individually made extensive study in this problem and have passed their information on to the committee; and the County Sheriffs who have been most helpful and cooperative. The Committee is especially indebted to Raymond Perkins, Esq., Solicitor of Merrimack County, for the time and valuable information he has given, and to Mr. Reg. Abbott of the Press.

Geographic Location

Much consideration was given to all factors relative to the geographic locations of existing county jails, houses of correction and court houses, principal state highway distances and other pertinent facts. Because of their geographic loca-

tion and size and the fact that their county jails and houses of correction are substantial and well equipped to meet all of the needs of the two counties for the present and foreseeable future, we recommend that Coos and Grafton Counties operate as independent units, adopting only the rules and regulations to be found later in this report. We recommend the consolidation of the following county jails: Carroll, Sullivan, Belknap and Merrimack Counties at the Merrimack County Jail at Boscawen. We believe that this institution is sufficient in size to meet all the needs of these four counties for some years to come. The institution at Boscawen will accommodate forty-eight prisoners; and after taking the average for the past six years and taking into consideration the changes in the present laws relating to appeals to the courts, the committee feels that the Merrimack County Jail is sufficient in size and the security facilities meet the present requirements. The location of this institution has been considered, and we find that it is very nearly equal distance to all points in the above mentioned counties.

The remaining four counties — Strafford, Rockingham, Cheshire and Hillsborough — we believe should be consolidated at the Valley Street Jail in Manchester. This institution is of sufficient size to take care of one hundred and twenty prisoners, and it is modern in all respects.

The committee also recommends that, because of the inadequate accommodations at the following institutions for female prisoners—Rockingham, Cheshire, Strafford, Carroll, Sullivan, Merrimack and Belknap — all female prisoners of these counties be committed to the Valley Street Jail in Manchester. The security and accommodations are the main factors in our decision in regard to the Valley Street Jail: whereas the accommodations for female prisoners in the counties mentioned are insecure and, for the most part, are not in the county jail but in the home where they are, in some cases, in contact with the inmates.

For the most part, without exception, all jailers are of the opinion that they do not have adequate facilities for female prisoners.

The committee, realizing that, as this program may increase the mileage cost in the respective counties entering into this plan, further recommends that all mileage incurred

so that said section as amended shall read as follows: "6. in any way by the county sheriffs and deputies in transporting prisoners to the consolidated jails from the jails to the various counties and back will be figured at the present rate.

We further recommend that the sheriffs in each respective county either with a consolidated or independent county jail be charged with the security, discipline and welfare of the prisoners in the jails in their custody. We further recommend that all jailers be deputized and uniformed, that there be sufficient turn-keys and that there will be a twenty-four hour watch on duty at all times.

The above recommendation is for the most part an existing law with the exception of county jails located at the county homes. It is the committee's opinion that the law should be in effect at these institutions also.

Section 6, Chapter 461 of the Revised Laws. Employment.

The committee recommends that this section be amended by striking out in the first line the words, "if possible," *Employment.* Employment shall be provided for the prisoners in the jails, and the county maintaining a jail shall pay to the treasurer of any other county from which the prisoners are committed such sum for their labor as may be agreed upon, or as the superior court shall adjudge to be equitable, after deducting therefrom the amounts due to the prisoners or to be applied to their benefit in the payment of fines and costs." We feel that by having a special secured cell or workshop this change would neatly reduce the period of rehabilitation.

It is the committee's opinion that the foregoing recommendations be considered by each county delegation affected.

There may be many problems of a local nature that the committee has failed to consider, but we feel that the adoption of the above plan should be with full approval of each delegation concerned.

The committee recommends that section 1 of chapter 461, which provides for a jail or jails in each county, should be repealed. Also that Chapter 121 of the Laws of 1945, relative to disposal of county jails should be repealed, thus making it lawful again to dispose of said jails as follows:

"3. The county commissioners of all of the counties in the state are authorized to close, sell, or otherwise dispose of the jails in their counties, including the real estate and all appurtenances used in connection with said jails, the proceeds from such sale or disposal in any county to be paid to the treasurer for the general use of the county.

ERNEST UNDERWOOD,
For the Subcommittee

Approved by the full Committee,
WILLIAM J. CLOUGH, Chairman.

Communication

The following letter was read by the Speaker.

HONORABLE RICHARD F. UPTON
Speaker of the House
State House
Concord, New Hampshire

Dear Mr. Upton:

On Tuesday, May 9, at 8:00 P. M. in Representatives Hall, under the auspices of the Employees' Association, Captain George Wilde will show a film depicting the Nuremburg trials of war criminals. Captain Wilde who was present at these trials will comment thereon.

The State Employees' Association cordially invites the members of the State Legislature to attend this function.

Sincerely yours,

JAMES W. DOON,
President.

Resolutions

Mrs. Chrisiansen of Berlin offered the following resolution.

Whereas the House of Representatives has learned with sorrow of the death of Bret Mason, husband of our beloved colleague, Mrs. Elisabeth Mason of Berlin;

Resolved, That the sincere sympathy and deep condolence of all the members of this House be extended to our fellow member on this said occasion.

Further Resolved, That the Clerk transmit a copy of these resolutions to Mrs. Mason.

On a *viva voce* vote the resolution was adopted.

Mrs. Lareau of Manchester offered the following resolution:

Whereas, we have learned of the death of Mrs. Rachel April, wife of Ernest April, Representative from Manchester, Ward 12, on November 11, 1949, therefore be it

Resolved, That we, the members of the House of Representatives, extend our heartfelt sympathy to our fellow member in his bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Mr. April.

On a *viva voce* vote the resolution was adopted.

Miss Loizeaux of Plymouth offered the following resolution:

Whereas, we have learned of the illness of Charles A. Tracy, member of the House from Amherst, therefore be it

Resolved, That we, the members of the House of Representatives, hereby extended our sympathy to our fellow member in his illness and our regret at his absence from our meetings, and be it further

Resolved, That we extend our best wishes for a speedy recovery to health with the hope that he will soon return to be with us at this Special Session of the Legislature, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Representative Tracy.

On a *viva voce* vote the resolution was adopted.

Mrs. Lareau of Manchester offered the following resolution:

Whereas, we have learned of the death of Solomon Kenney, father of Isabell C. McPhail, Representative from Manchester, therefore be it

Resolved, That we, the members of the House of Representatives, extend our heartfelt sympathy to our fellow member in her bereavement, and be it further

Resolved, That the Clerk of the House transmit to Representative McPhail a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

Introduction of Joint Resolution

The following joint resolution was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

House Joint Resolution No. 1, Joint resolution for the appointment of a commission to study future needs of the University of New Hampshire.

Read a first and second time, laid upon the table to be printed, and referred to the Committee on Appropriation.

Mr. Atherton of Nashua moved that the rules of the House be suspended, printing and reference to committee of the joint resolution be dispensed with.

The question being on the motion of Mr. Atherton.

(Discussion ensued)

Messers. Atherton of Nashua and Sanborn of Wakefield spoke in favor of the motion.

Mrs. Dondero of Portsmouth and Mr. Lea of Pembroke spoke against the motion.

Mrs. Dondero of Portsmouth asked for a division.

A division being had, the vote was declared manifestly in the affirmative, and the joint resolution was ordered to a third reading.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order this afternoon, be in order at the present time, and joint resolution be read by caption only, and when the House adjourns today it adjourns to meet Thursday morning at 10:00 o'clock.

Third Reading

House Joint Resolution No. 1, Joint resolution for the appointment of a committee to study future needs of the University of New Hampshire.

Read a third time and passed, and sent to the Senate for concurrence.

On motion of Mr. Geisel of Manchester at 10:35 o'clock the House adjourned.

THURSDAY, MAY 4, 1950

The House met according to adjournment.

Prayer was offered by the Chaplain.

Almighty and Everlasting God, Maker and Ruler Supreme, we bow in humble reverence before Thy throne, we acknowledge Thy majesty and power, and we implore Thy blessing on the deliberations of this hour; direct us in all that we do and say with Thy most gracious favor, further us with Thy continual help, that in all our works begun, continued and ended in Thee, we may glorify Thy Holy Name, through Jesus Christ our Lord. Amen.

Leaves of Absence

Messrs. Rolfe of Rochester, Brown of Laconia and Malley of Somersworth, were granted leaves of absence for the day on account of important business.

Committee Report

Mr. Dwinell of Lebanon, for the Committee on Ways and Means, to whom was referred House Bill No. 5, An Act making additional appropriations, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill referred to the Committee on Appropriations, under the rules.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 3, An act relating to housing authorities.

Senate Bill No. 5, An Act relative to retirement benefits for officials and employees of the Maine-New Hampshire Interstate Bridge Authority.

Senate Bills Read and Referred

Senate Bill No. 3, An Act relating to housing authorities.

Read a first and second time, and referred to the Committee on Judiciary.

Senate Bill No. 5, An Act relative to retirement benefits for officials and employees of the Maine-New Hampshire Interstate Bridge Authority.

Read a first and second time, and referred to the Committee on Executive Departments and Administration.

Resolutions

Mr. Henderson of Durham, for the Committee on Resolations, offered the following resolutions:

Resolutions
On the Death of
ALBERT S. HARDY

Whereas, we have learned of the death of Albert S. Hardy, Representative from Boscawen, therefore be it

Resolved, That we, the members of the House of Representatives, mourn the passing of our fellow member and pay tribute to his services to his town and state, and be it further

Resolved, That we extend our heartfelt sympathy to his family in its bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to his widow, Mrs. Hardy.

Resolutions
On the Death of
JOHN C. O'BRIEN

Whereas, we have learned of the death of John C. O'Brien, Representative from Manchester for several sessions, therefore be it

Resolved, That we, the members of the House of Representatives, mourn the passing of our fellow member, that we pay tribute to his services to his city and state, and be it further

Resolved, That we extend our heartfelt sympathy to his family in its bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these Resolutions to Mrs. O'Brien.

Resolutions

On the Death of

EDWARD J. OBERT, SR.

Whereas, we have learned of the death of Edward J. Obert, Representative from Center Harbor, therefore be it

Resolved, That we, the members of the House of Representatives, mourn the passing of our fellow member and pay tribute to his services to his town and state, and be it further

Resolved, That we extend our heartfelt sympathy to his family in its bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these Resolutions to Mrs. Obert.

Resolutions

On the Death of

CHARLES G. ROBY

Whereas, we have learned of the death of Charles G. Roby, Representative from Concord, therefore be it

Resolved, That we, the members of the House of Representatives, mourn the passing of our fellow member and pay tribute to his services to his town and state, and be it further

Resolved, That we extend our heartfelt sympathy to his son, Arthur E. Roby, in his bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these Resolutions to Mr. Arthur E. Roby.

Resolutions

On the Death of

ROSCOE J. OAKES

Whereas, one of our members, Roscoe J. Oakes, Representative from Landaff since 1933 and Delegate to the Constitutional Convention in 1948, has passed away, and

Whereas, Representative Oakes served his town and state in many other political and civic positions, including Selectman, Highway Commissioner, Overseer of the Poor, Moderator, and Director of Farm Bureau and New Hampshire Breeders Association, and

Whereas, his tenure of office in these many positions was distinguished not only by his outstanding accomplishments

but also by his unfailing courtesy, kindness and fairness, thus earning for him the profound respect and confidence of all, therefore be it

Resolved, That we, the members of the House of Representatives of the New Hampshire Legislature, mourn the passing of our fellow member, that we express our admiration and respect for the outstanding career of this faithful public servant and pay tribute to his long and faithful years of service to his town and state, and be it further

Resolved, That we extend our heartfelt sympathy to the surviving members of his family, and be it further

Resolved, That the Clerk of the House transmit a copy of these Resolutions to the widow, Mrs. Oakes.

The resolutions were unanimously adopted by a rising vote.

Mr. Hamilton of Lisbon offered the following resolution:

Resolutions

On the Death of

HARRY DEAN SAWYER

Whereas, one of our members, Harry Dean Sawyer, Representative from Woodstock for several terms, has passed away, and

Whereas, Representative Sawyer served his town and state in many other political and civic positions including Selectman, Overseer of the Poor, Supervisor of Checklist, State Board of Welfare, New Hampshire Aerial Tramway Commission and longtime member of the Board of Trustees of the University of New Hampshire, and

Whereas, his tenure of office in these many positions was distinguished not only by his outstanding accomplishments but also by his unfailing courtesy, kindness and fairness, thus earning for him the profound respect and confidence of all, therefore be it

Resolved, That we, the members of the House of Representatives of the New Hampshire Legislature, mourn the passing of our fellow member, that we express our admiration of and respect for the outstanding career of this faithful public servant and pay tribute to his long and faithful years of service to his town and state, and be it further

Resolved, That we extend our heartfelt sympathy to the surviving members of his family, and be it further

Resolved, That the Clerk of the House transmit to the widow, Mrs. Sawyer, a copy of these Resolutions.

The resolution was unanimously adopted by a rising vote.

Mr. Clough of Haverhill offered the following resolution:

Resolved, That the report of the Committee on Municipal and County Government concerning consolidation of County jails and houses of correction be accepted, and that the Committee be instructed to cause legislation to be prepared to carry out the recommendation in its report, and that the same be submitted by the committee to the 1951 session of the Legislature.

The question being on the resolution.

(Discussion ensued)

Mr. Clough of Haverhill spoke in favor of the resolution.

On a *viva voce* vote the resolution was adopted.

Mr. Myhaver of Peterborough offered the following resolution:

Resolved, That the Judicial Council be requested to make a survey of the work load of the Superior Court and advise the next regular session of the House of Representatives concerning the need of having an extra Justice of the Superior Court.

The question being on the resolution.

(Discussion ensued)

Mr. Myhaver of Peterborough spoke in favor of the resolution:

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order this afternoon, to be in order at the present time, and when the House adjourns today it adjourns to meet Tuesday morning at 10:00 o'clock.

On motion of Mr. Sanborn of Wakefield at 10:30 o'clock the House adjourned.

TUESDAY, MAY 9, 1950

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God, our Teacher and Leader, embue us with the spirit of the Psalmist when he said: "Teach me Thy way, O Lord, and lead me in the right way." In this hour of momentous decision for the general welfare of our State, we most sincerely beseech Thee to be our Guide and Teacher. Supplement our puny mortal strength with Thy divine might; give us the courage and fortitude to rise above personal prejudice or mere party loyalty; lead us in Thy way, assuring us that that is the right way for the greatest good of our commonwealth. We ask it in the name of Christ. Amen.

Leaves of Absence

Mr. Rowell of Newport was granted leave of absence for the day on account of illness in the family.

Mr. Parker of Farmington was granted leave of absence for the day on account of illness.

Messrs. Perkins of Alton and Green of Orford were granted leaves of absence for the day on account of important business.

Mr. Collins of Lisbon was granted leave of absence for the week on account of illness.

Messrs. Cummings of Peterborough and Simoneau of Laconia were granted leaves of absence for the week on account of important business.

Committee Report

Mr. Campbell of Milford, for the Committee on Executive Department and Administration, to whom was referred House Bill No. 7, An Act relating to the powers of certain municipal and private corporations, and certain counties, and clarifying a certain provision of the motor vehicle laws, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amendment to House Bill No. 7

Amend said bill by striking out all after Section 18 and inserting in place thereof the following:

19. *Reclassification of Highway in Ossipee.* The highway in the town of Ossipee running from Route 16 to Route 25 on the westerly side of the Bearcamp River and known as the Bearcamp Road now classified as Class II highway, shall hereafter be classified as a Class V highway. The provisions of Section 1, Chapter 18, Laws of 1949, shall not apply to the Town of Ossipee for the year 1950.

20. *Lebanon Town Meeting Legalized.* The votes and proceedings at the annual Town Meeting of the town of Lebanon on the 14th day of March, 1950, are hereby legalized, ratified and confirmed.

21. *Wakefield Town Meeting.* The votes and proceedings at the annual Town Meeting in the town of Wakefield on the 14th day of March, 1950, are hereby legalized, ratified and confirmed.

22. *Stone Pond in Marlborough.* The town of Marlborough is hereby authorized to take water for the purposes of a municipal waterworks from Stone Pond, which is partially in the town of Marlborough and partially in the town of Dublin, provided that before June 1, 1952, said town, at a meeting duly called for the purpose, votes to establish a municipal waterworks and to acquire necessary land or water rights under the provisions of Chapter 56, Revised Laws, and other applicable statutes.

23. *Roxbury Town Meeting.* The votes and proceedings at the annual Town Meeting in the Town of Roxbury on the 14th day of March, 1950, are hereby legalized, ratified and confirmed.

24. *Milan School District.* The votes and proceedings of the special meeting of the School District of the town of Milan held on May 2, 1950, are hereby legalized, ratified and confirmed.

25. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted.

The question being on the amendments.

On a *viva voce* vote the amendments were adopted, and the bill ordered to a third reading.

Messrs. Atherton of Nashua and Barry of Wilton, for the Joint Committee on Judiciary and Appropriations, to whom was referred House Bill No. 1, An Act providing for a reorganization of the state government, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend House Bill No. 1 by inserting before Part I the following section: 1. *Short Title.* This act shall be known as the Reorganization Act of 1950.

* * *

Amend said bill by striking out section 1 of Part 1 and inserting in place thereof the following: 1. *Trustees.* Amend section 2 of chapter 14 of the Revised Laws by striking out said section and inserting in place thereof the following: 2. *Appointment.* The state sanatorium trustees shall be the persons designated for the terms specified in section 3 of part 21 hereof; there shall be a board of seven trustees for each of the other said four institutions, the appointed members of which shall serve without pay but shall be allowed their reasonable expenses. Six members of each of said boards shall be appointed by the governor and council for terms of six years; provided, however, that the present appointed members of the boards shall complete their respective terms. A new member shall be appointed forthwith to each of said boards for a term to expire June 30, 1955. Vacancies in said boards shall be filled by the governor and council for the unexpired terms. Any appointed member of said boards may be removed by the governor and council at any time for cause. Such member of the council as the governor may designate shall be an *ex officio* member of each of said boards of trustees. The chairman of each board shall be one of the six appointed members and shall be designated by the governor and council. Services rendered by any member of the council in carrying out any of the provisions of this chapter shall be considered as the performance of his duties as councilor.

* * *

Amend section 2 of Part 1 by striking out said section and inserting in place thereof the following: 2. *Board of Health; Membership.* Amend section 2 of chapter 147 of the Laws of

1943 by striking out said section and inserting in place thereof the following: 2. *State Board of Health.* The state board of health shall consist of the attorney-general *ex officio* and six other members, three to be physicians, one a civil engineer, and two who shall be neither physicians nor civil engineers, appointed by the governor with the advice and consent of the council for a term of six years and until their successors are appointed and qualified. Vacancies shall be filled for the unexpired terms; provided, however, that the present members of the board shall complete their respective terms. A new member shall be appointed forthwith and his term shall expire January 30, 1956. It shall be the duty of the board to supervise the department that its duties may be effectuated, to make such rules and regulations and take action necessary or desirable to carry out the provisions of public health laws under its jurisdiction, to establish such divisions within the department as may be necessary for efficient administration and to appoint the heads of such divisions, except as otherwise specifically provided by statute.

* * *

Amend section 2 of Part 3 by inserting in the blank the words, six thousand dollars, so that said section as amended shall read: 2. *Appropriation.* The sum of six thousand dollars is hereby appropriated for the fiscal year ending June 30, 1951, for the purposes of this act.

* * *

Amend section 2 of Part 4 of said bill by striking out the first two lines and inserting in place thereof the following: 2. *Transfer of Commission and Boards.* Amend said chapter 21, as amended by section 13, chapter 265, Laws of 1949, by inserting after section 18 the following: Further amend said section 2 by renumbering the new sections therein from 18, 19, 20 to 19, 20 and 21 respectively.

* * *

Amend Part 4 by striking out sections 5 and 8 and inserting in place thereof the following:

5. *Board of Registration for Architects.* Amend chapter 197 of the Laws of 1947 by inserting after section 9 the following new section: 9A. *Form of Report.* Said biennial report shall be in such form as may be prescribed by the secretary of state.

8. *Board of Registration for Professional Engineers.* Amend chapter 170 of the Laws of 1945 by inserting after section 9 the following new section: 9A. *Form of Report.* Said biennial report shall be in such form as may be prescribed by the secretary of state.

* * *

Amend section 14 of chapter 24 of the Revised Laws as inserted by section 2 of Part 5 by striking out the last sentence and inserting in place thereof the following: He may be removed only in the manner provided by section 48 of chapter 27 of the Revised Laws as inserted by chapter 231 of the Laws of 1947, as amended herein, so that said section as amended shall read as follows: 14. *Deputy Attorney-General; Appointment.* The governor and council shall nominate and appoint a deputy attorney-general in the same manner provided by the constitution for the appointment of the attorney-general. He shall hold office for the term of five years. Any vacancy shall be filled for the unexpired term. He may be removed only in the manner provided by section 48 of chapter 27 of the Revised Laws as inserted by chapter 231 of the Laws of 1947, as amended herein.

* * *

Amend section 15 of chapter 24 of the Revised Laws, as inserted by section 2, Part 5 of the bill by striking out said section and inserting in place thereof the following:

15. *Assistant Attorneys General.* The attorney general subject to the approval of the governor and council shall appoint three assistant attorneys general, each of whom shall hold office for a term of five years. Any vacancy in such offices shall be filled for the unexpired term. An assistant attorney general may be removed only as provided by section 48, chapter 27, Revised Laws, as inserted by chapter 231 of the Laws of 1947, as amended herein.

Amend section 3 of Part 5 of said bill by striking out the same and inserting in place thereof the following:

3. *Present Officials.* The assistant attorney general, in office at the date of the passage of this act, shall forthwith be appointed by the governor and council as deputy attorney general for a term which shall expire June 16, 1953.

Amend section 4 of Part 5 of said bill by striking out the same and inserting in place thereof the following: 4. *Salaries; Longevity; Qualifications.* Further amend said chapter 24 by striking out section 4 and inserting in place thereof the following: 4. *Salaries; Expenses; Offices.* Nothwithstanding the provisions of chapter 250 of the Laws of 1947, as amended, the annual salary of the attorney general shall be a minimum of $8,500 and a maximum of $9,000, that of the deputy attorney general shall be a minimum of $7,000 and a maximum of $7,500, that of each assistant attorney general shall be a minimum of $6,000 and a maximum of $6,500. Upon appointment, each of the foregoing officers shall be entitled to the minimum salary herein set forth. Each year thereafter each of said officers shall be entitled to an increase of one hundred dollars for each year, but in no case shall the total salary exceed the maximum herein established. Their offices shall be in Concord; and each shall have been admitted to the practice of law in New Hampshire.

Amend section 5 of Part 5 of said bill by striking out the same and inserting in place thereof the following:

5. *Appropriation.* The sum of $22,100 is hereby appropriated for the fiscal year ending June 30, 1951, for the purpose of providing funds for the additional salaries for the office of the attorney general, as hereinbefore provided.

* * *

Amend section 8 of Part 5 of said bill by striking out said section and insterting in place thereof the following: 8. *Duties of Attorney-General.* Amend chapter 145 of the Laws of 1935 by striking out section 2, as amended by chapter 35 of the Laws of 1949, and inserting in place thereof the following: 2. *Membership.* The said commission shall be composed of fifteen members, fourteen of whom shall be appointed as follows: five members of the senate, to be appointed by the president of the senate, five members of the house of representatives, to be appointed by the speaker of the house, and four officials of the state, to be appointed by the governor. The attorney-general shall serve as an *ex-officio* member in the capacity of chairman of the commission. A record of the proceedings of the commission shall be kept in the office of the attorney-general.

* * *

Amend section 3 of chapter 23-A as inserted by section 1 of Part 6 by striking out said section and inserting in place thereof the following: 3. *Removal.* The governor and council may remove the comptroller only as provided in section 48 of chapter 27 of the Revised Laws as inserted by chapter 231 of the Laws of 1947, as amended herein.

* * *

Amend paragraph VIII, section 7, chapter 23-A, as inserted by section 1 of Part 6 by striking out said paragraph.

* * *

Amend section 10 of chapter 23-A as inserted by section 1 of Part 6 by striking out said section and inserting in place thereof the following: 10. *Removal.* The governor and council may remove the director of accounts only as provided in section 48 of chapter 27 of the Revised Laws, as inserted by chapter 231 of the Laws of 1947, as amended herein.

* * *

Amend paragraph VII, section 12 of chapter 23-A as inserted by section 1 of Part 6 by striking out the word "accounts" in the first line, and inserting in place thereof the words, claims against the state, and further amend said paragraph by adding after sub-paragraph (b) the following, except that payments for payroll may be certified for one payroll period in advance, so that said paragraph as amended shall read as follows: VII. Pre-audit and certify for payment all claims against the state to be presented to the governor and council for the issuance of warrants; before such certification for payment the director of accounts shall require documentary evidence of the debt in a form sufficient to show that the agency or individuals responsible for contracting the debt (a) had the authority for so doing, (b) had knowledge of the amounts due, except that payments for payroll may be certified for one payroll period in advance (c) possessed the authority for the approval of the invoice, and (d) in regard to payments for capital improvements had knowledge of the work actually completed.

* * *

Amend section 15 of chapter 23-A as inserted by section 1 of Part 6 by striking out said section and inserting in place thereof the following: *Removal.* The governor and council may remove the director of purchase and property only as pro-

vided in section 48 of chapter 27 of the Revised Laws, as inserted by chapter 231 of the Laws of 1947, as hereinafter amended.

* * *

Amend paragraph IX, section 17, chapter 23-A, as inserted by section 1 of Part 6 by striking out said paragraph and inserting in place thereof the following: IX. After consultation with the board of approval as established by section 7 of Part 24 hereof, purchase liability insurance under a fleet policy covering the operation of state-owned vehicles, and such other insurance and surety bonds as any state department, agency or official may now or hereafter be legally authorized to secure, or required to furnish.

* * *

Amend section 17 of chapter 23-A as inserted by section 1 of Part 6, by striking out paragraph X and renumbering the remaining paragraphs in consecutive order.

* * *

Amend section 2 of Part 7 by striking out the figure 4 in the fourth line, and inserting in place thereof the figure 1.

* * *

Amend section 9 of Part 8 by striking out said section and inserting in place thereof the following: 9: *Treasurer's Authority.* Further amend said chapter 78 by striking out section 19 and inserting in place thereof the following: 19. *Inspection.* Returns shall not be open to the inspection of any person except the commission and their deputies, assistants and clerks when acting under their authority; provided, that a properly authorized representative of the federal internal revenue bureau may inspect such returns if reciprocal inspection of New Hampshire returns in that bureau is permitted to the tax commission or their representatives.

* * *

Amend section 10 of Part 8 by striking out said section and inserting in place thereof the following: 10. *Administration of Tax.* Further amend said chapter 78 by striking out section 22 and inserting in place thereof the following: 22. *Administration.* The administration of this chapter and all powers, duties, and functions assigned hereunder to the tax commission except the power to abate as conferred upon the commission by sections 26, 27 and 33, may be performed by

the director of the division of interest and dividends subject to the supervision of the state tax commission except as otherwise hereinafter specifically provided, and subject to its approval he shall have the power to require the production of books, affidavits, papers and documents of all kinds and the appearance of any person, in the state, to determine the amount of any tax or determine whether any tax has been evaded or any return falsified, in addition to the powers otherwise conferred upon him by delegation of the commission.

* * *

Amend Part 8, section 13 by striking out said section and inserting in place thereof the following: 13. *Returns; Change of Date.* Amend section 18 of chapter 78 of the Revised Laws, as amended by chapter 139, Laws of 1947, by striking out the said section and inserting in pace thereof the following: 18. *Returns.* Returns of taxable income shall be made to the tax commission on or before May first in each year, in such form as they may prescribe, but the commission may extend such time for good cause. Returns as required by this chapter shall be made under penalties of perjury.

* * *

Amend section 14 of Part 8, by striking out said section and inserting in place thereof the following: 14. *Assessment.* Further amend said chapter 78 by striking out section 23 and inserting in place thereof the following: 23. *Payment; Interest.* All taxes shall be assessed as of January first, in each year, and payment thereof shall be made at the time the return is filed on or before May first. If taxes are not paid on or before May fifteenth, interest at ten per cent from the said May first shall be added, and the said May first shall be deemed to be the date for all taxes assessed and collected under this chapter. Provided, however, that when an extension of time has been granted under the provisions of section 18, the date specified in the said extension shall be deemed to be the due date, and interest at the rate of ten per cent shall be added if payment is not made within fifteen days after that date.

* * *

Amend section 15 of Part 8, by inserting the word, further, before the word "amend" and the word, said, after the word "amend" in the first line, and by striking out the words "of the Revised Laws, as amended" in the first line, so that

said section as amended shall read as follows: 15. *Review.* Further amend said chapter 78 by inserting after section 25 the following new section: 25-a. *Reassessment by Director.* If upon examination of the returns and assessment made therein, it shall appear that the amount of the tax exceeds the correct amount due, or is deficient, the director of the division of interest and dividends shall reassess the amount of the tax and notify the taxpayer of such corrections. In the event that the director determines a deficiency, the amount of said deficiency and interest at the rate of ten per cent from the original due date shall be forwarded by the taxpayer to the director within fifteen days from the date of the notice herein provided. In the event the reassessment results in a determination of overpayment, amount of the excess shall be repaid to the taxpayer in the manner provided by section 28 of this chapter. All assessments made under this section by the director shall not be subject to the supervision of the state tax commission, and shall be subject to the same right of abatement and appeal as provided in sections 26 and 27 and nothing herein contained shall be construed to limit the power of the commission to make a later assessment under section 29 or to seek a penalty for fraudulent returns as provided by section 34.

* * *

Amend section 3 of chapter 90-A of the Revised Laws, as inserted by section 1 of Part 9 of said bill by inserting after the word "exercised" in the ninth line the words, and all existing contractual obligations of the highway department and the state housing board shall be assumed, so that said section as amended shall read as follows:

3. *Transfer and Abolition.* All functions, powers, duties, records, property and personnel of the highway departments, as provided in chapter 90 of the Revised Laws, as inserted by chapter 188 of the Laws of 1945, as amended, and as otherwise provided, are hereby transferred to the section on highways in the division of engineering; and all the functions, powers, duties, records, property and personnel of the state housing board, as provided in chapter 169 of the Revised Laws, as amended by chapters 169 and 286 of the Laws of 1947, and amendments thereto, are hereby transferred to the section on public works in the division of engineering; all such functions, powers and duties shall be exercised and all existing con-

tractual obligations of the highway department and the state housing board shall be assumed by the commissioner or his deputy. The said highway department and said housing board are hereby abolished as separate agencies of the state government.

* * *

Amend section 5 of chapter 90-A, as inserted by section 1 of Part 9, by striking out the words "hereinafter enumerated" in line 58 and inserting in place thereof the words, of his office. Further amend said section 5 by adding after the last sentence thereof the words, the commissioner shall exercise the powers of the department, organize its work and serve as its executive head, subject to the provisions of this act or of any other law, so that said section as amended shall read as follows: 5. *Commissioner.* The governor, with the advice and consent of the council, shall appoint a commissioner of public works and highways who shall be specially qualified to perform the duties of his office. He shall hold office for a term of five years from the date of his appointment, and until his successor is appointed and qualified, and a vacancy in such office shall be filled for the unexpired term. The commissioner shall exercise the powers of the department, organize its work and serve as its executive head, subject to the provisions of this act or of any other law.

* * *

Amend Revised Laws, chapter 90-A, section 7, as inserted by Part 9, by striking out said section and inserting in place thereof the following: 7. *Removal.* The Commissioner may be removed by the governor and council only as provided in section 48 of chapter 27 of the Revised Laws as inserted by chapter 231 of the Laws of 1947, as hereafter amended. The deputy commissioner, and assistant commissioner may be removed by the commissioner subject to the approval of the governor and council.

* * *

Amend section 10, of chapter 90-A of the Revised Laws as inserted by section 1 of Part 9 by striking out said section and inserting in place thereof the following: 10. *Consultant.* The consultant to the highway commissioner in office at the date of the passage of this act shall continue in office as consultant to the commissioner of public works and highways for

the balance of the term of his office as provided in chapter 236 of the Laws of 1949, without change in salary.

* * *

Amend said bill by striking out Section 13 of Part 9 and inserting in place thereof the following:

13. *Declaration of Policy and Limitation on Contracts.* I. It is hereby declared to be the policy of the state that major state projects, except state aid and town road aid if not eligible for federal aid, shall be built by the contract method under competitive bidding, and that independent registered professional architects or registered professional engineers shall be employed for major construction of state buildings. It is further declared to be the policy of the state that all awards under such competitive bidding shall be to the lowest responsible bidder. It is further declared to be the policy of the state that state contract construction shall not be performed on the basis of a cost-plus contract, so-called.

II. No state contract construction exceeding one thousand dollars for any individual project shall be awarded to any independent contractor except under conditions of competitive bidding and as hereinafter provided. In any case under competitive bidding where for just cause shown the lowest bid submitted should be rejected, the commissioner shall transmit promptly to the governor and council a recommendation for such rejections stating his reasons therefor. The governor and council shall thereupon review such recommendation and any other facts available to them, requiring a public hearing upon request of any bidder, or on their own motion to fully establish such facts, and make such determination as in their judgment shall be for the best interests of the state. Such determination shall be entered upon the records of the secretary of state. The state reserves the right to reject any and all bids or to negotiate with the lowest responsible bidder. If not more than one bid is received on any state project advertised for contract construction, the commissioner subject to the approval of the governor and council may negotiate a contract for such construction upon terms which he may deem most advantageous to the state. Provided, however, that as to projects built with federal aid, if any provision of this section is inconsistent with

the requirements of applicable federal law and regulations, the latter shall control.

* * *

Amend paragraph II of section 14 of chapter 90-A as inserted by Part 9 of said bill by striking out the same and inserting in place thereof the following: II. Supervise the execution of contract construction and provide an inspection service to determine whether contract work, including extras, complies with specifications, prior to acceptance and payment therefor. An authorized agent of the department shall give to the using agency or institution signed written statements periodically that the contract is being executed according to specifications and, at the end, that the project has been completed in accordance with the specifications. Manifests for such payments are to be made and signed by the using agency or institution that, to the best of their knowledge and belief, the progress reports furnished by the department to the using agency or institution are correct. Manifests for final payment shall certify that, to the best of my (our) knowledge and belief, inspections have been carried out, that the project has been completed in accordance with the specifications and contract and that it has been accepted.

* * *

Amend paragraph VII of section 15 of chapter 90-A, Revised Laws, as inserted by section 1 of Part 9 by striking out the words "purchasing agent" and inserting in place thereof the words, director of purchase and property, so that said paragraph as amended shall read as follows: VII. Upon request of the director of purchase and property, to inspect and test, and advise the acceptance or rejection of, all materials and supplies purchased by the division of purchase and property.

* * *

Amend section 17 of chapter 90-A, as inserted by section 1 of Part 9 by striking out the word "shall" in the third line and inserting in place thereof the word, to, so that said section as amended shall read: 17. *Accountability for Highway Funds.* All receipts, expenditures and accounts for the department of public works and highways of funds accruing to the department as successor to the highway department, or from any other source, to be expended for highway purposes, shall be accounted for on a fiscal year basis, and shall be sub-

ject to the provisions of chapter 23 of the Revised Laws, as amended. Said fiscal year shall conform to the general state practice.

* * *

Amend said bill by striking out Part 10 and inserting in place thereof the following:

Part 10

State Board of Fire Control

1. *Assistants.* Amend chapter 175-A of the Revised Laws as inserted by chapter 251 of the Laws of 1947, by striking out section 8 and inserting in place thereof the following sections: 8. *Deputies and Assistants.* The board shall fix the term of employment for a deputy fire marshal and, subject to the state personnel regulations and within the limits of available appropriations and funds, the state fire marshal may employ a deputy, such assistants, and one clerical or secretarial assistant, as may be necessary. 8-a. *Assistants; Clerical.* Subject to the state personnel regulations and within the limits of available appropriations and funds, the commissioner of motor vehicles shall furnish such additional clerical and secretarial assistants as may be necessary to carry out the duties and functions of the state fire marshal.

2. *Facilities.* In order to promote the effectiveness and efficiency of the state fire marshal he may use such personnel and equipment of the departments of public works, motor vehicle and state police as may be by mutual agreement provided by the heads of said agencies, including, without limiting the generalities of the foregoing, the use of radio and other communication facilities.

Inspection and Setting of Standards of Fire Escapes

3. *Transfer.* Amend section 11 of chapter 176 of the Revised Laws by striking out said section and inserting in place thereof the following: 11. *Standards.* The board of fire control is hereby authorized to set standards defining requirements to insure ready and safe egress in the event of fire, for factories and workshops, more than two stories in height, and to approve buildings which conform to such standards. The state board of fire control is hereby authorized

to set such standards for other buildings as defined in section 9 and to approve buildings which conform thereto.

4. *Fire Escapes.* Amend section 12 of said chapter 176 by striking out said section and inserting in place thereof the following: 12. *Approval.* Such fire escapes shall be subject to approval as to location by the state board of fire control, provided that nothing herein shall be deemed to deprive the commissioner of labor, factory inspectors, and other assistants of the commissioner of the power and authority conferred upon them by chapter 215.

* * *

Amend section 2 of Part 11 by adding at the end thereof the following: said council shall continue to function as a separate organizational entity as heretofore constituted with all the powers and duties as heretofore provided except as otherwise specified herein, so that said section as amended shall read as follows: 2. *Clerical Assistance; Organization.* Amend chapter 219-A as inserted by chapter 190, Laws of 1943, by inserting after section 1 the following new section: 1-a. *Assistants; Organization.* Subject to the state personnel regulations and within the limits of available appropriations and funds, the department of public welfare shall furnish such clerical and secretarial assistance as may be necessary to carry out the duties and functions of the state veterans council. Said council shall continue to function as a separate organizational entity as heretofore constituted with all the powers and duties as heretofore provided except as otherwise specified herein.

* * *

Amend section 5 of Part 11 of said bill by striking out said section and inserting in place thereof the following: 5. *Supervision of State Hospitals and Institutions.* Amend section 1 of chapter 14 of the Revised Laws by striking out said section and inserting in place thereof the following: 1. *Governor and Council; Boards of Control.* The ultimate authority over the state hospital, the Laconia state school, the industrial school, the state sanatorium and the state prison, including all real and personal estate used in connection therewith, the purchase of materials and supplies for said institutions and the departments of the state, as hereinafter provided, is vested

in the governor and council. The general supervision of the industrial school and the state prison is vested in the board of control of the department of corrections and the general supervision of the state hospital, the children's study home, the Laconia state school, the state sanatorium, and the soldiers' home is vested in the board of control of the department of hospitals as said boards are hereinafter established.

* * *

Amend section 9 of Part 11 by inserting after the words "New Hampshire State Hospital" the words "the children's study home", so that said section as amended shall read as follows: 9. *Department of Hospitals.* There shall be a department of hospitals which shall consist of the New Hampshire state hospital, the children's study home, the Laconia state school, the soldiers' home, and the New Hampshire state sanatorium.

* * *

Amend section 10 of Part 11 by inserting after the words "New Hampshire State Hospital" the words (being the commission of mental health) so that said section as amended shall read as follows: 10. *Board of Control; Hospitals.* There shall be a board of control of the department of hospitals which shall consist of one of the appointed members of the board of trustees of the New Hampshire state hospital (being the commission of mental health) to be chosen by said appointed members, one of the appointed members of the board of trustees of the Laconia state school to be chosen by said appointed members, one of the designated members of the trustees of the New Hampshire state sanatorium, to be chosen by said designated members, and one of the members of the board of managers of the soldiers' home to be chosen by the board.

* * *

Amend section 11 of Part 11 of said bill by striking out said section and inserting in place thereof the following: 11. *Duties and Powers of Board of Control and Trustees; Hospitals.* The board of control of the department of hospitals shall meet at least quarterly to determine and discuss matters of common departmental policy so that each shall function as an integrated part of the whole department. Decisions by

said board shall be the governing policy respecting procedures of each department or institution affected. The boards of trustees of the New Hampshire state hospital, Laconia state school, the New Hampshire state sanatorium and the board of managers of the soldiers' home shall each continue to appoint the executive of its institution in the same manner as heretofore provided, but each of said boards shall be responsible to the board of control for efficient and economical management of the institution, and the proper care and treatment of persons in their charge; said boards of trustees shall each exercise supervisory and policy-making control of all aspects of their respective custodial, therapeutic and professional functions and duties.

* * *

Amend section 12 of Part 11 by inserting after the words "the superintendent of the state hospital," the words, the director of the mental hygiene clinics, so that said section as amended shall read as follows: 12. *Inter-Departmental Committee on Welfare and Institutions.* There shall be an interdepartmental committee on welfare and institutions which shall consist of the commissioner of public welfare, the warden of the state prison, the state parole officer, the superintendent of the industrial school, the director of probation, the superintendent of the state hospital, the director of the mental hygiene clinics, the superintendent of the Laconia state school, the commandant of the soldiers' home, and the superintendent of the New Hampshire state sanatorium.

* * *

Amend section 4 of chapter 249-A as inserted by section 1 of Part 12 by striking out said section and inserting in place thereof the following: 4. *Delegates Chosen.* The planning and development commission, established under section 40 of chapter 27 of the Revised Laws as amended, the New Hampshire water pollution commission as established by chapter 166-A of the Revised Laws, as inserted by chapter 183 of the Laws of 1947, the forestry and recreation commission, as established by section 1, chapter 233 of the Revised Laws, the fish and game commission, as established by section 1, chapter 240 of the Revised Laws, and the New Hampshire water resources board, as established by section 3, chapter 266 of the

Revised Laws, shall each choose from among its members a delegate to sit upon the council heretofore established. Such designation shall continue in full force and effect until the expiration of the term of office of any such delegate as a member of the commission or board from which he is chosen and until a new delegate is selected as his successor on the council.

* * *

Amend section 4 of Part 14 of said bill by striking out said section and inserting in place thereof the following:

4. *Disposition of Funds.* Amend chapter 196 of the Revised Laws by striking out section 13 and inserting in place thereof the following: 13. *Disposition of Revenue.* All moneys received by the board from license fees and fines shall be paid promptly into the state treasury. All moneys received by the state treasurer under the provisions hereof shall be placed in a special fund to be known as the milk control fund. All expenses of the division of milk control shall be paid by the state treasurer from said milk control fund upon warrant of the governor; in addition to its appropriation, the milk control board shall receive for disbursement for the administration of said division, as may be necessary for the purposes of this chapter, such portion of any income received in excess of said appropriation as the governor and council shall approve; and any unexpended funds at the end of a fiscal year shall lapse and be available for the general purposes of the state. Provided, however, that the appropriation heretofore enacted for the fiscal year ending June 30, 1951, shall be available for the purposes of the milk control division and in the event that the milk control fund shall exceed the sum of said appropriation, the additional amount in said fund shall be available in the manner hereinbefore provided.

* * *

Amend section 5 of Part 14 by striking out said section and inserting in place thereof the following: 5. *Application of Receipts.* Amend said chapter 196 by inserting after section 13 the following new section: 13-a. *Limitations on Fund.* All moneys paid into the state treasury in the manner provided by the preceding section and credited to the milk control fund shall be subject to all the provisions relating to similar funds

as established by section 11 of chapter 22 of the Revised Laws, as amended by chapter 95 of the Laws of 1945.

* * *

Amend section 3 of Part 16 of the bill by striking out the same and inserting in place thereof the following:

3. *Legal Service.* Amend section 9 of chapter 191 of the Revised Laws as inserted by chapter 237 of the Laws of 1947 by striking out the same and inserting in place thereof the following: 9. *Service on Fire Marshal* Whenever legal process against such dealer is served upon the state fire marshal he shall make memoranda of the fact in a book provided for the purpose and upon the paper served, and shall forthwith notify the dealer thereof by letter addressed to him at his principal office in this country; and on the following day he shall forward the paper served upon him to the dealer.

* * *

Amend section 2 of Part 18 by striking out the words "factory and minimum wage" in the last sentence thereof, so that said section as amended shall read as follows: 2. *Transfer.* The functions, powers, duties, property, records and personnel of the inspectors of factories and other places of employment as provided in section 36 of chapter 137 of the Revised Laws are hereby transferred to the department of labor and shall be exercised, vested, and used therein. All inspectors in the department of labor shall also have the same powers as to enforcement and serving of warrants as provided in said section.

* * *

Amend section 7 of Part 18 by striking out said section and inserting in place thereof the following: 7. *Removal.* The director may be removed only as provided in section 48 of chapter 27 of the Revised Laws as inserted by chapter 231 of the Laws of 1947, as hereinafter amended.

* * *

Amend paragraph III of section 12 of chapter 254, as inserted by section 9 of Part 19 by striking out the words "executive director's" in line one and inserting in place thereof the words, division's, so that said paragraph as amended shall

read: III. Any person who is placed by court order under the division's custody and care, or any person who is accepted by the executive director as a voluntary patient, shall be subject to the control and regulation of the executive director or such employee of the division as he may designate. Any patient of the division may be permitted to go at large without custody or restraint for such times and under such conditions as the executive director or his designated agent judges best.

* * *

Amend section 1 of Part 22 by striking out the sections numbered 30 and 31 therein, and renumbering sections 32, 33, and 35 to read number 30, 31 and 32 respectively so that said section as amended shall read as follows: 1. *Boards; Transfer.* Amend chapter 147 of the Revised Laws, as amended by adding at the end thereof the following new sections: 29. *Transfer.* The board of registration in medicine, as provided in chapter 250 of the Revised Laws, as amended; the state dental board, as provided in chapter 251 of the Revised Laws as amended; the chiropody board, as provided in chapter 254 of the Revised Laws, as amended; the board of registration of funeral directors and embalmers, as provided in chapter 168 of the Revised Laws, as amended; the barbers examining and licensing board, as provided in chapter 158 of the Revised Laws, as amended; the commission of pharmacy and practical chemistry, as provided in chapter 256 of the Revised Laws, as amended; and the board of registration of hairdressers, as provided in chapter 157 of the Revised Laws, as amended, are hereby transferred to the department of health and each shall function as a separate organizational entity as heretofore constituted and with all the powers and duties as heretofore provided, except as otherwise specified herein. 30. *Uniform Records.* So far as practicable and after consultation with the professional and trade licensing and registering boards within the department of health, the state health officer shall prescribe uniform procedures for all secretarial and recording activities of said boards. 31. *Supervision.* The state health officer shall exercise general supervision over such clerical personnel of the professional and trade licensing and registering boards within the department of health as work within his office. 32. *Office Space.* The state health officer shall provide necessary office space for each professional and trade

licensing and registering board within the department of health.

Further amend said part by inserting sections 2 and 3 as follows: 2. *Transfer; Personnel.* The full-time clerical and secretarial personnel, if any, of the boards specified in section 1 are hereby transferred to the department of health. 3. *Appropriations.* All unexpended appropriations and funds made available for the use of the personnel transferred in section 2 for the fiscal year ending June 30, 1951, are hereby transferred to the board of health to be used only for the purposes for which they could have been legally used heretofore.

* * *

Amend section 3 of Part 24 by striking out said section and inserting in place thereof the following: 3. *Insurance; Liquor Warehouse.* Amend section 15 of chapter 170 of the Revised Laws by striking out said section and inserting in place thereof the following: 15. *Insurance.* The commission shall have power to protect the state liquor warehouse or warehouses and contents against fire and sprinkler damage and such insurance shall be purchased through the director of purchase and property after consultation with the board of approval established by section 7 of this part.

* * *

Amend section 4 of Part 24 by striking out said section and inserting in place thereof the following: 4. *Aerial Tramways; Insurance.* Amend chapter 239 of the Revised Laws by adding after section 3 the following new section: 3-a. *Insurance.* The commission or agency having charge of the Cannon Mountain aerial tramway shall procure liability, fire, extended coverage or Marine insurance through the director of purchase and property, who shall consult with the board of approval established by section 7 of this part.

* * *

Amend section 5 of part 24 by striking out said section and inserting in place thereof the following: 5. *Aerial Tramway; Sunapee.* Amend chapter 239 of the Revised Laws by adding after section 11 the following new section: 11-a. *Insurance.* The commission or agency having charge of the Mt.

Sunapee Aerial Tramway shall procure liability, fire, extended coverage or Marine insurance through the director of purchase and property, who shall consult with the board of approval established by section 7 of this part.

* * *

Amend section 7 of Part 24 of the bill by striking out the same and inserting in place thereof the following:

7. *Board of Approval.* There is hereby established a board consisting of the attorney general, the insurance commissioner and the bank commissioner whose duty it shall be to determine the amount, where no amount is specified, and the sufficiency of the surety, where a bond is required of an official or employee of the state; and such other duties as may be provided by law; and no bond shall be valid until approved by said board.

* * *

Amend Part 24 of the bill by adding at the end thereof the following new sections:

24. *Bond; Insurance Commissioner.* Amend section 6 of chapter 321 of the Revised Laws by striking out said section and inserting in place thereof the following: 6. *Bonds.* The commissioner and the deputy commissioner shall give bonds to the state conditioned upon the faithful discharge of the duties of their offices. Said bonds shall be filed in the office of the secretary of state.

25. *Bond; Commissioner of Motor Vehicles.* Amend chapter 115 of the Revised Laws by striking out section 4 and inserting in place thereof the following: 4. *Bonds.* The commissioner and the administrative assistant shall give bonds to the state conditioned upon the faithful discharge of the duties of their offices.

* * *

Amend Part 24 by striking out section 16 and inserting in place thereof the following: 16. *Bond; State Stores.* Amend section 10 of chapter 170 of the Revised Laws by striking out said section and inserting in place thereof the following: 10. *Operation of State Stores; Sales Agents.* The commission may in its discretion operate state stores for the sale of liquor

in such cities and towns as shall have accepted the provisions hereof as hereinafter provided, and, subject to the state personnel regulations and within the limits of available appropriations and funds, may appoint sales agents to sell liquor in said stores; any sales agent appointed for any store shall have been a resident of the town where said store is located for at least six months prior to said appointment. The salaries of such sales agents shall not be governed by the amount of sales. No sales agent, authorized to sell liquor under the provisions hereof, shall sell liquor except such as may be legally obtained under the provisions hereof.

* * *

Amend section 1 of Part 25 by inserting after the word "employment" in the fourth line the words, or salary, so that said section as amended shall read as follows: 1. *State Employees.* From and after the date when the governor and council shall declare the adoption of the classification plan, as provided in "An Act to Establish a Unified Personnel System for the State," neither the governor nor council shall be required to approve the employment, or salary, of any employee within the state classified service except as such approval may be specifically required either by the said "Act to Establish a Unified Personnel System for the State" or by this act.

* * *

Amend section 3 of Part 25 by striking out the first sentence and inserting in place thereof the following: Amend section 48 of chapter 27 of the Revised Laws as inserted by chapter 231 of the Laws of 1947 by striking out said section and inserting in place thereof the following, so that said section as amended shall read as follows: 3. *State Officials; Removal.* Amend section 48 of chapter 27 of the Revised Laws as inserted by chapter 231 of the Laws of 1947 by striking out said section and inserting in place thereof the following: 48. *Removal for Cause.* Except as otherwise specifically provided, no official of the state outside of the state classified service shall be discharged or removed except by the governor and council for malfeasance, misfeasance, or inefficiency in office or incapacity or unfitness to perform his duties, or for the good of the department, agency or institution to which he is assigned. The attorney-general, or the appointing au-

thority of such official may petition the governor and council for his removal, setting forth the grounds and reasons therefor. The governor and council shall hold a public hearing upon such petition, giving due notice thereof to such official not less than thirty days before the hearing, and shall, if they find, upon due hearing, good cause for removal of such official, order his removal from office.

* * *

Amend section 2 of the bill by striking out the word "make" in the fourth line and inserting the word assign; further amend said section by striking out the word available in the fourth line so that said section as amended shall read as follows: 2. *Space.* To the extent that the operation of any provision of this act is limited by the availability of adequate office space, as determined by the governor and council, said provision shall take effect when such space becomes available, and the governor and council shall thereupon assign such space in accordance with section 12 of chapter 12 of the Revised Laws as amended by section 5 of part 7 of this act.

* * *

Amend section 7 of the bill by striking out the word "such" where it appears after the word "any" in the fourth line, so that said section as amended shall read as follows : 7. *Effect on Existing Laws.* The provisions of this act, so far as they are the same as those of existing laws, shall be construed as a continuation of such law and not as a new enactment. The repeal by this act of any provision of law, shall not revive any law heretofore repealed or superseded; nor shall such repeal affect any act done, liability incurred, or any right accrued or vested, or affect, abate or prevent any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws; nor shall such repeal affect the validity of any contract to which the state, or any agency of the state is a party in interest.

* * *

Amend the last section of said bill by renumbering said section from 8 to 9.

The report was accepted.

The bill with the amendments pending were laid upon the table under Rule 48.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 4, An Act providing for a recount of ballots on certain referendum questions.

Senate Bill Read and Referred

Senate Bill No. 4, An Act providing for a recount of ballots on certain referendum questions.

Read a first and second time and referred to the Committee on Judiciary.

Resolutions

Mr. Fuller of Hanover offered the following resolution:

Whereas, the House of Representatives has learned with sorrow of the death of Albert Atwood, husband of our beloved colleague, Mrs. Marion H. Atwood of Sanbornton, resolved that the sincere sympathy and deep condolence of all members of this House be extended to our fellow member on this sad occasion.

Further Resolved, That the Clerk transmit a copy of these resolutions to Mrs. Atwood.

On a *viva voce* vote the resolution was adopted.

Mr. Turner of Keene offered the following resolution:

Resolved, That until further notice the House shall convene at 11:00 o'clock, a. m. (Daylight Saving Time.)

The question being on the resolution.

(Discussion ensued)

Mr. Turner of Keene spoke in favor of the resolution.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order this afternoon, to be in

order at the present time, and bills be read by title only, and when the House adjourns today it adjourns to meet Wednesday morning at 11:00 o'clock.

Third Reading

House Bill No. 7, An Act relating to the powers of certain municipal and private corporations and certain counties, and clarifying a certain provision of the motor vehicle law.

Read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Corliss of Manchester at 10:35 o'clock the House adjourned.

WEDNESDAY, MAY 10, 1950

The House met according to adjournment.

Prayer was offered by Rev. Frederick W. Alden, Minister, Congregational-Christian Conference of New Hampshire.

O Lord, our God, we pause in this day's march to acknowledge Thee and to ask that Thou lift thy hand in blessing upon us, making us faithful servants of the Living God, ordering all our ways before Thee through Jesus Christ, our Lord. Amen.

Leaves of Absence

Mrs. Studley of Rochester was granted leave of absence for the day on account of illness.

Mr. Rowell of Newport was granted leave of absence for the day on account of illness in the family.

Committee Report

Messrs. Atherton of Nashua and Barry of Wilton, for the Joint Committees on Judiciary and Appropriations, to whom was referred House Bill No. 1, An Act providing for a reorganization of the state government, having considered the same, reported the same with the amendment as printed in yesterday's Journal on pages 5 to 27, and the recommendation that the bill as amended ought to pass.

The question being on the amendments as printed in the Journal and offered by the Joint Committee.

On a *viva voce* vote the amendments were adopted.

Mr. Baron of Claremont offered the following amendment:

Amend said bill by striking out Part 9 and inserting in place thereof the following:

Part 9

Public Works

1. *Department Established; Duties, etc.* Amend the Revised Laws by inserting after chapter 90, as inserted by chapter 183 of the Laws of 1945, and amendments thereto, the following new chapter:

Chapter 91

Department of Public Works

1. *Definitions.* As used in this chapter the following words and terms shall have the following meanings unless a contrary meaning shall appear in the context:

I. "Contract construction" shall mean all construction performed in whole or in part by an independent contractor;

II. "Department" shall mean the department of public works;

III. "Project" shall mean any construction, reconstruction, alteration or maintenance in any building, plant, fixture, or facility;

IV. "Using agency or institution" shall mean any executive department, commission, independent establishment, public corporation which is an instrumentality of a state board, bureau, division, institution, service, office, officer, authority, administration or other establishment in the executive branch of the government, which will have the control of the property after the work is completed.

2. *Department Established.* There shall be a department of public works under the executive direction of a commissioner of public works. Said department shall consist of a division of engineering, a division of business and administration, and a division of planning.

3. *Transfer and Abolition.* All the functions, powers,

duties, records, property and personnel of the state housing board, as provided in chapter 169 of the Revised Laws, as amended by chapters 169 and 286 of the Laws of 1947, and amendments thereto, are hereby transferred to the division of engineering; all such functions, powers and duties shall be exercised by the commissioner or his deputy. The said housing board is hereby abolished as a separate agency of the state government.

4. *Performance of Functions.* Any functions of the commissioner of public works may from time to time be performed by such officer, employee or administrative unit under his jurisdiction as he shall deem appropriate.

5. *Commissioner.* The governor, with the advice and consent of the council, shall appoint a commissioner of public works who shall be specially qualified to perform the duties hereinafter enumerated. He shall hold office for a term of five years from the date of his appointment, and until his successor is appointed and qualified, and a vacancy in such office shall be filled for the unexpired term.

6. *Deputy Commissioner.* Subject to the approval of the governor and council, the commissioner shall appoint a deputy commissioner, who shall also serve as chief engineer, who shall be specially qualified by previous experience to perform all duties as may be assigned to him and shall serve during good behavior. The divisions of planning and business and administration shall be administered by the commissioner of public works.

7. *Removal.* The commissioner may be removed by the governor and council only as provided in chapter 231 of the Laws of 1947, as amended. The deputy commissioner may be removed by the commissioner subject to approval by the governor and council.

8. *Salaries.* The annual salaries of the commissioner, and deputy commissioner, shall be determined by the governor and council.

9. *Power of the Governor.* With the mutual agreement of the heads of the using agencies or institutions concerned and of the commissioner of public works, the governor may

transfer such other personnel from said using agencies and institutions who, by reason of their previous experience with their respective departments or training, may serve the state more efficiently by being transferred to the department herein established. The governor is further authorized to transfer to the department of public works such funds and appropriations as have heretofore or may hereafter be made available for the compensation and expenses of persons transferred under the foregoing authority.

10. *Declaration of Policy.* It is hereby declared to be the policy of the state that major projects shall be built by the contract method under competitive bidding, and that independent registered architects shall be employed for all major construction of buildings. It is further declared to be the policy of the state that all awards be to the lowest responsible bidder. In any case where for cause shown the lowest bid submitted should be rejected the commissioner shall transmit promptly to the governor and council a recommendation for such rejection stating his reasons therefor. The governor and council shall thereupon review such recommendation and any other facts available to them, requiring a public hearing if in their judgment the same shall be necessary to fully establish such facts, and thereafter make such determination as in their judgment shall be for the best interests of the state. Such determination shall be entered upon the records of the secretary of state.

11. *Client Relationship.* Without limiting the generality of the foregoing, and to enable the department to maintain a client relationship with the using agencies or institutions in the construction of capital budget items, the department is authorized to:

I. Determine requirements, prepare estimates, advertise, receive bids and award contracts subject to the approval of the governor and council, and execute in the name of the state and for the using agency or institution, all contracts for projects, with the advice and assistance of the attorney-general, and after concurrence of the governor and council, comptroller and using agency or institution, in such manner and subject to such limitation as may be specified from time to time by law;

II. Supervise the execution of contract construction and provide an inspection service to determine whether contract work, including extras, complies with specifications, prior to acceptance and payment therefor. Manifests for such payments are to be made and signed by the using agency or institution upon being satisfied that the work progress reports furnished by the department to the using agency or institution are correct. Manifests for final payment shall certify that inspections have been carried out, that the project has been completed in accordance with specifications and accepted;

III. Cause to be undertaken and completed, all construction exceeding one thousand dollars for any individual project, except as otherwise authorized by the governor and council;

IV. Furnish advice to the using agencies or institutions concerning plans, designs, and other technical questions, in the construction, development and structural maintenance of such facilities as the said agencies or institutions in their discretion deem necessary and suitable to the performance of their duties;

V. Except as otherwise authorized by the governor and council, co-operate with the water resources board by letting for contract and supervising all projects as herein defined on state owned dams and reservoirs, and to perform such inspections as may be requested by that board, provided that the operation of facilities now or hereafter under the control of that board shall not be delegated to this department.

12. *General Powers and Duties.* The department is further authorized to:

I. Exercise general supervision over standards of operation and maintenance of state owned buildings, (except state armories and military reservations) and fixed (plant) equipment, in the same manner as it has been exercised heretofore by the executive officers of the using agencies or institutions, and except as otherwise provided by law;

II. Provide for the maintenance of all state owned motor vehicles on a cost-of-service basis;

III. Co-operate with the department of administration and control in long range capital planning to meet the needs of

the state, as may be requested by the governor and council and subject to their approval;

IV. Operate all public works, not otherwise assigned;

V. Assist any using agency or institution of the state in the acquisition of lands for a public use, when requested;

VI. Employ such technical consultants and other assistants as may be necessary, wherever required in the best interests of the state and consistent with the policy declared in section 10;

VII. Upon request of the director of purchase and property, to inspect and test, and advise the acceptance or rejection of, all materials and supplies purchased by the division of purchase and property.

13. *Appropriations.* All unexpended funds and appropriations available to the state housing board for the fiscal year ending June 30, 1951 are hereby transferred and made available to the department of public works to be used only for the purposes for which they could have been legally used heretofore.

14. *Bookkeeping Procedure.* The commissioner shall maintain accounts which will reflect accurately expenditures and commitments of funds, and will charge the respective using agencies or institutions only for expenditures and commitments made in their accounts for their respective projects.

15. *Special Funds.* Nothing herein shall be construed to authorize or permit directly or indirectly the diversion or expenditure of any special funds, or funds provided for any particular purpose, for any other purpose or for any purpose prohibited by constitutional or legislative limitation of this state or of the United States. Such funds shall not be commingled with any other moneys but shall be expended only for the purposes for which they were provided and shall be accounted for separately.

16. *Outside Activity Restricted.* No member of the department shall act as agent or representative, or engage in private consulting work for, or involving, any contractor, architect, engineer, firm or individual engaged, or interested in the performance of state contracts or whose business in-

cludes the manufacture or furnishing of equipment, materials or supplies to the state. No member of the department shall, acting as a private individual, solicit or engage in consulting or other engneering work for political subdivisions of the state. Violation of this section shall be cause for dismissal or other disciplinary action, subject to such appeal as may be provided by law.

The question being on the amendment offered by Mr. Baron of Claremont.

Mr. Baron of Claremont moved that the rules of the House be suspended and reading of the amendment be dispensed with.

The question being on the motion of Mr. Baron of Claremont.

(Discussion ensued)

Mr. Angus of Claremont spoke in favor of the motion.

On a *viva voce* vote the rules were suspended, and reading of the amendment was dispensed with.

The question being on the amendment offered by Mr. Baron of Claremont.

(Discussion ensued)

Messrs. Baron of Claremont and Lea of Pembroke spoke in favor of the amendment.

Messrs. Barry of Wilton, Sanborn of Wakefield and Spaulding of Nashua spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Lea of Pembroke asked for a division.

A division deing had, the vote was declared manifestly in the negative, and the amendment was not adopted.

Mr. Pickett of Keene offered the following amendment:

Moved that Part 13 be stricken from the bill and further study of same be considered by a committee of five, two members of which are to be appointed by the Speaker of the House, two by the President of the Senate and one by the governor. The committee is to report to the next regular session of the legislature.

The question being on the amendment offered by Mr. Pickett of Keene.

(Discussion ensued)

Messrs. Pickett of Keene and Gagnon of Manchester spoke in favor of the amendment.

Messrs. Sanborn of Wakefield and Connor of Henniker spoke against the amendment.

On a *viva voce* vote the amendment offered by Mr. Pickett of Keene was not adopted.

Mr. Geisel of Manchester offered the following amendment:

Amend Part 3 of said bill by inserting at the end thereof the following new sections: 3. *Governor's Salary.* Amend section 45 of chapter 27 of the Revised Laws by striking out said section and inserting in place thereof the following: 45. *Governor's Salary.* The annual salary of the governor shall be ten thousand dollars. 4. *Effective Date; Appropriation.* The provisions of section 3 of this part shall not be effective until January 3, 1951. The sum of two thousand dollars is hereby appropriated for the fiscal year ending June 30, 1951 for the purpose of the additional salary of the governor provided herein.

The question being on the amendment offered by Mr. Geisel of Manchester.

(Discussion ensued)

Messrs. Geisel of Manchester and Angus of Claremont spoke in favor of the amendment.

On a *viva voce* vote the amendment offered by Mr. Geisel of Manchester was adopted.

The bill was ordered to a third reading.

Mr. Sanborn of Wakefield moved that the rules be suspended and House Bill No. 1, be put upon its third reading and final passage, by title, at the present time.

On a *viva voce* vote the motion prevailed.

The bill was read a third time and passed, and sent to the Senate for concurrence.

Reconsideration

Mr. Spaulding of Hudson moved that the House reconsider the vote whereby it passed House Bill No. 1.

On a *viva voce* vote the motion to reconsider did not prevail.

Mr. Fuller of Hanover offered the following resolution:

Resolved, That the rules of the House be so far suspended as to permit the introduction of a Committee Report not previously advertised in the Journal.

On a *viva voce* vote the resolution was adopted.

Mr. Fuller of Hanover, for the Committee on Education, to whom was referred House Bill No. 3, An Act providing for the construction of housing facilities for students and faculty at the University of New Hampshire, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill referred to the Committee on Appropriations under the rules.

Mr. Pickett of Keene offered the following resolution:

Resolved, That the sincere thanks of the House of Representatives be extended to the members of the Reorganization Commission and its citizen subcommittees for the conscientious and most able civic work performed by them in the preparation and adoption of the plan for the reorganization of the State Government of New Hampshire.

Further Resolved, That the Clerk be instructed to forward to each member of the commission a copy of this resolution.

Mr. Pickett of Keene spoke in favor of the motion.

On a rising vote the resolution was unanimously adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order this afternoon, to be in order at the present time, and bills be ready by title only, and when the House adjourns today it adjourns to meet Thursday morning at 11:00 o'clock.

On motion of Mrs. Ramsdell of Nashua at 12:15 o'clock the House adjourned.

THURSDAY, MAY 11, 1950

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God, who in Thy Word hast said: "Who knoweth whether thou art come to the kingdom for such a time as

this?" In this day of dire need of consecrated manhood and womanhood, and of unlimited oportunity to serve Thee as legislators in this commonwealth, help us to faithfully meet the obligations that are ours to bring Thy kingdom more intimately into the affairs of men, and thus, at least in part, answer the prayer we so often say: "Thy kingdom come, Thy will be done on earth as it is in heaven." Amen.

Engrossed Bill Report

Mrs. Wild of Jackson, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bill and joint resolution:

House Bill No. 4, An Act relative to water pollution.

House Joint Resolution No. 1, Joint Resolution for the appointment of a Commission to study future needs of the University of New Hampshire.

The report was accepted.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill and joint resolution sent up from the House of Representatives.

House Bill No. 4, An act relative to water pollution.

House Joint Resolution No. 1, Joint Resolution for the appointment of a commission to study future needs of the University of New Hampshire.

The message also announced that the Senate had passed bills with the folowing titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 1, An Act establishing the New Hampshire Teachers' Retirement System.

Senate Bill No. 2, An Act to establish a unified personnel system for the state.

Senate Bill No. 7, An Act to provide for the operation and maintenance of the Belknap Mountains Recreation Area.

Senate Bills Read and Referred

Senate Bill No. 1, An Act establishing the New Hampshire Teachers' Retirement System.

Senate Bill No. 2, An Act to establish a unified personnel system for the state.

Severally read a first and second time and referred to the Committee on Appropriations.

Senate Bill No. 7, An Act to provide for the operation and maintenance of the Belknap Mountains Recreation Area.

Read a first and second time and referred to a Special Committee consisting of the delegation from the County of Belknap.

Joint Committee Report

Mr. Underwood of Hampton, for the Joint Committee appointed to study House Bill No. 413, An Act relating to lobsters and crabs.

The Special Joint Committee having considered the subject referred to them by Joint Resolution of the Senate and House adopted July 27, 1949, recommends that the following amendments be adopted on House Bill No. 6, An Act defining certain terms under the fish and game laws. The Joint Committee believes that the proposed amendments clarify the law properly and meet the objections previously raised against the bill as passed at the last regular session.

An Act defining terms under the fish and game laws.

Amend the title of the bill by striking out the same and inserting in place thereof, the following:

An Act defining certain terms under the fish and game laws and relating to lobsters and crabs.

Further amend said bill by inserting after section 1 the following new sections:

2. *Requirements; Fees.* Amend section 42 of chapter 245 of the Revised Laws by striking out said section and inserting in place thereof the following: 42. *License.* No person shall at any time place, set, keep, maintain, supervise, lift, raise or draw in, from any waters under the jurisdiction of this state, or in any way aid or assist in so doing, any pot, trap, warp, or any other device used in taking lobsters or

crabs without first procuring a special license so to do; nor during the time from sunset to one hour before sunrise. Such license shall be issued by the director, under such rules and regulations and in such form as may be prescribed by him. The fee for such license shall be ten dollars, provided that if the person does not take lobsters or crabs for the purpose of selling the same and does not use more than ten traps, the fee for such limited license shall be three dollars. The fees and fines collected under the provisions of this subdivision and the expense of enforcing same shall be accounted for separately by the Director.

3. *Violations.* Amend section 43 of chapter 245 of the Revised Laws by striking out said section and inserting in place thereof the following: 43. *Revocation; Suspension.* Persons convicted for violation of the provisions pertaining to taking lobsters and crabs shall forfeit their license for not more than one year in the discretion of the director. If an appeal is taken the license shall be suspended pending the disposition of said case and for not more than one year thereafter from date of conviction by the higher court. The director shall revoke the license of any person who has been found guilty in any court a second time within five years of the first finding of guilt, of a violation of any such laws or regulations, for a period of not less than one, nor more than three years from the date of such finding or conviction. The director may order any license to be suspended or revoked, after due hearing, for any cause that he may deem sufficient. Any person whose license has been revoked or suspended shall not accompany any licensed fisherman or assist him in any way while he is engaged in taking or transporting lobsters or crabs.

4. *Inspection.* Amend section 43-a of chapter 245 of the Revised Laws as inserted by chapter 278, Laws of 1947, by adding at the end thereof the following: Said lobster traps, pots, cars or devices shall be taken to a place of storage on the shore and shall be inspected by a conservation officer and such traps, pots, cars or devices shall not be placed in the water again by any other person until they have been inspected by a conservation officer and rebranded with the last name and initials of the new user in a manner satisfactory to the conservation officer, so that said section as amended shall read as follows: 43-a. *Removal of Devices.* Any person whose

license has been suspended shall within five days remove from the waters all lobster traps, pots, cars, or any device used in taking or storing of lobsters and crabs. Said lobster traps, pots, cars or devices shall be taken to a place of storage on the shore and shall be inspected by a conservation officer and such traps, pots, cars or devices shall not be placed in the water again by any other person until they have been inspected by a conservation officer and rebranded with the last name and initials of the new user in a manner satisfactory to the conservation officer.

5. *Definition of Resident.* Amend section 44 of chapter 245 of the Revised Laws by inserting after the word "years" in the fourth line the word, immediately, so that said section as amended shall read as follows: 44. *Who May Take Lobsters and Crabs.* No person shall take lobsters or crabs from the waters of New Hampshire unless he is a *bona fide* resident of the state, and no license shall be issued to a person unless he shall furnish proof that he has resided within the state for at least five years immediately preceding this application for a license and has not during that time claimed a residence in any other state for any purpose.

6. *Female Lobsters.* Amend section 45 of chapter 245 of the Revised Laws by striking out the words "with a distinctive mark" and inserting in place thereof the following: by a V notch not less than one-half inch in width at the widest point, in the middle flipper of the tail, so that said section as amended shall read as follows: 45. *Distinctive Mark.* Any person taking any female lobster carrying spawn shall immediately mark said lobster by a V notch not less than one-half inch in width at the widest point, in the middle flipper of the tail, and return said lobster to the water. The director shall furnish to any person requesting the same a punch for the purpose of making such distinctive mark.

7. *Prohibitions.* Amend chapter 245 of the Revised Laws by inserting after section 46 the following new section: 46-a. *Female Lobsters.* Whoever takes, buys, sells or has in his possession any female lobster bearing eggs or marked as specified in section 45 shall be fined ten dollars plus not more than ten dollars for each such female lobster involved, or imprisoned for not more than ninety days or both. But a person who takes any such lobster and immediately returns

it alive to the waters from which it was taken shall not be subject to such penalty. This section shall not apply to lobsters spawning in cars or pounds if they are, upon discovery, immediately marked and liberated alive in the coastal waters, nor shall anything herein contained be construed as prohibiting the director or his agents from possessing and transporting female lobsters carrying spawn, or having the distinctive mark, for propagation purposes.

8. *Possession.* Amend section 47 of chapter 245 of the Revised Laws as amended by chapter 114 of the Laws of 1943 by inserting after the word "sale" in the ninth line the words, or possesses for any purpose, so that said section as amended shall read as follows: 47. *Legal Length.* No person shall buy, sell, give away or expose for sale, or possess for any purpose, any lobster less than three and one-eighth inches in length alive or dead, cooked or uncooked, measured from the rear of the eye socket along a line parallel to the center line of the body shell to the rear end of the body shell. Whoever ships, transports, carries, buys, gives away, sells or exposes for sale, or possesses for any purpose, lobster meat after the same shall have been taken from the shell without the tail meat being whole and intact, and of a length of less than four and one-quarter inches when laid out straight and measured from end to end, not including the small part that is on the body end of the tail meat, shall be liable to the penalty imposed for violation of this section.

9. *Cooked Lobster.* Amend chapter 245 of the Revised Laws by inserting after section 47 the following new section: 47-a. *Exceptions.* Nothing in the provisions of section 47 shall be construed to prevent hotels or restaurants serving cooked lobster to guests for immediate consumption as food from chopping meat taken from lobster of legal length in reasonable quantities for current use; nor shall said section prevent an individual from chopping lobster meat for immediate consumption for himself, his family or his guests.

10. *Equipment.* Amend section 49 of chapter 245 of the Revised Laws by striking out said section and inserting in place thereof the following: 49. *Marking Pots and Traps.* No person shall set any pot or trap for any lobster or crab without having the pot or trap and buoy attached, plainly carved or branded with his last name and initials. No person,

shall use or set in any tidal waters any car or other contrivance for holding or keeping lobsters or crabs without having such car or contrivance plainly marked with the last name and initials carved or branded thereon. Any pots, traps, cars or other contrivance used to catch or store lobsters or crabs in violation of any provision hereof any lobsters or crabs therein shall be forfeited.

11. *Lobster Pots and Traps.* On and after March 1, 1951 no person shall possess on the coastal waters of the state of New Hampshire or use therein any lobster trap or pot unless it shall have at the bottom on each side thereof an opening not less than one and five-eighth inches wide, which such opening shall at all time be maintained clear and undiminished.

12. *Penalties.* Amend section 52 of chapter 245 of the Revised Laws as amended by section 2 of chapter 278 of the Laws of 1947 by striking out said section and inserting in place thereof the following: 52. *Prohibition.* If a conservation officer shall inform a person that his boat and its contents are about to be inspected, it shall be unlawful for said person to throw overhoard or destroy any fish, lobsters, crabs, shellfish or any pot, trap, car, contrivance, bag, box or other receptacle used for storing or catching lobsters or crabs, or the contents thereof, or any other article or thing, or to cut loose any article or thing which may be dragging beside said boat, prior to such inspection. If any person shall refuse to stand by for such inspection he shall be subject to arrest. Any person violating the provisions of this section shall be fined not exceeding one hundred dollars or imprisoned for not exceeding sixty days, or both, and the director shall suspend the license of such person to take lobsters and crabs for not exceeding one year.

13. *Wholesale Lobster Dealers.* Amend chapter 245 of the Revised Laws by inserting after section 53 the following new section: 53-a. *License.* No person, firm or corporation shall engage in a wholesale trade in lobsters without first having procured from the director a written license therefor. The fee for a license, designated as a wholesale lobster dealer's license, shall be twenty-five dollars and shall entitle the holder to buy and sell and transport lobsters in wholesale trade within the state and to ship the same within and outside the state. Any

person, firm or corporation licensed under the provisions of this section that maintains any facility for the buying of lobsters at any point other than his or their principal place of business, shall procure from the director for each such facility a supplemental license and the fee therefor shall be three dollars. Any person, firm or corporation that distributes lobsters or parts thereof, commercially, in bulk lots of more than fifty pounds for resale or processing and consumption by others than the purchaser, shall be classified as a wholesale dealer. Any dealer licensed under the provisions of this section, who buys lobsters in excess of fifty pounds at one time, shall record the license number of the seller and shall keep such record for one year, which record shall be available for the inspection of any conservation officer of the department.

14. *Forfeiture of Licenses.* Amend chapter 245 of the Revised Laws by inserting after section 53-a the following new section: 53-b. *Revocation.* Any person holding a license under sections 53 or 53-a who is convicted of a violation of the laws relating to lobsters and crabs shall forfeit such license for not more than one year from the date of conviction in the discretion of the director.

15. *Change in Penalties.* Amend section 56 of chapter 245 of the Revised Laws by striking out the whole of said section and inserting in place thereof the following: 56. *Penalties.* Any person who violates a provision of this subdivision shall be penalized as follows: For a violation of sections 43-a, 44, 45, 46, 46-a, 49, 50, 53 or 53-a, a fine of not more than fifty dollars for each offense; for a violation of sections 42, 43 or 48, a fine of not more than fifty dollars or imprisoned for not more than thirty days or both; for a violation of section 47, a fine of five dollars and not more than five dollars additional for each lobster or parts thereof involved, or imprisoned for not more than ninety days, or both.

16. *Appropriations.* There is hereby appropriated for the administration of sections 2 through 16 of this act the sum of six thousand five hundred dollars for the fiscal year ending June 30, 1951.

17. *Saving Clause.* Nothing herein contained shall in any manner affect the prosecution of any offense, relative to lobsters and crabs, committed prior to the passage of this act

which said offense may be prosecuted or prosecution therefor continued under the provisions of sections 42 to 56 of chapter 245 of the Revised Laws as they existed prior to the passage of this act.

Further amend said bill by renumbering section 2 to be section 18.

The report was referred to the Committee on Fisheries and Game.

Committee Reports

Mr. Henderson of Durham, for the Committee on Appropriations, to whom was referred House Bill No. 2, An Act relative to construction, reconstruction and betterment of primary and secondary highways, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by inserting after section 6 the following new sections:

7. *State Office Building.* Amend section 2 of chapter 322 of the Laws of 1949 by striking out said section and inserting in place thereof the following: 2. *Additional Appropriation.* The sum of five hundred seventy-five thousand dollars is hereby appropriated for the purpose of the construction, equipment and furnishing of a new state office building.

8. *Expenditure of Funds.* Amend section 3 of chapter 322 of the laws of 1949 by striking out said section and inserting in place thereof the following: 3. *Expenditures,* The appropriations made for the purposes mentioned in section 1 and the sums made available for those projects shall be expended by the trustees, commission, or department head of the institutions and departments referred to therein, provided that all contracts for projects and plans and specifications therefor shall be submitted to the governor and council and approved by the governor and council prior to the awarding of the contracts. The appropriation made and the sum made available for the project referred to in section 2 above shall be expended by the governor and council.

9. *Bonds or Notes.* Amend section 8 of chapter 322 by striking out the last sentence of said section, so that said section as amended shall read as- follows: 8. *Payments.*

The payment of principal and interest on bonds or notes issued for the purposes of section 1 shall be made from the special fund as provided by chapter 126 of the laws of 1931 as amended.

10. *Payments.* Amend chapter 322 of the Laws of 1949 by inserting after section 8 the following new section: 8-a. *Sinking Fund.* The state treasurer shall, during the life of any notes or bonds issued to provide funds for the appropriation made in section 2, establish and keep a separate account to be known as the State Office Building Sinking Fund Account into which shall be paid such amounts as the governor and council may determine to be proper and reasonable charges against departmental appropriations for space occupied in said buildings. There shall also be paid into said fund any premium received in connection with the sale of said bonds. In each fiscal year after the issuance of bonds or notes for said section 2, the amount so paid into said fund shall be not less than one twenty-fifth of the principal amount of bonds issued hereunder, plus interest requirements. The funds in said account shall be applied to the payment of the interest and principal of the said bonds and notes issued for the construction of said new state office building, and costs incident to said bond or note issue.

11. *Lapse of Appropriation.* The appropriation made under the provisions of section 2 of chapter 322 of the Laws of 1949 shall not lapse as provided by that statute but shall be available for expenditure until July 1, 1953.

Further amend said bill by renumbering section 7 to read section 12.

The report was accepted.

The bill, with the amendment pending, was laid upon the table to be printed under Rule 48.

Mr. Sanborn of Wakefield, for the Committee on Appropriations, to whom was referred House Bill No. 5, An Act making additional appropriations, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend said bill by inserting after section 5 the following new sections:

6. *Fees.* Amend section 10, chapter 250 of the Revised Laws by striking out the word "twenty" in the second line and inserting in place thereof the word, thirty, so that said section as amended shall read as follows: 10. *Applicants.* The board shall admit to examination any applicant who pays a fee of thirty dollars and submits satisfactory evidence in writing, verified by oath if required, that he is more than twenty-one years of age, of good moral character, is a citizen of the United States or a Canadian province in which like privilege is granted to citizens of the United States, has completed satisfactorily two years' work in college, or has a preliminary education considered and accepted by the board as full equivalent, has studied the treatment of human ailments not less than four school years in a medical school maintaining at that time a standard satisfactory to the board, and has graduated from such school and has completed an interneship, approved by the board, of not less than twelve months. The provisions of this section may be suspended in whole or in part by order of the board on account of war or other threatened or existing national calamity.

7. *Examination.* Amend section 13, chapter 250 of the Revised Laws, by striking out the word "twenty" in the fourth line and inserting in place thereof the word, thirty, so that said section as amended shall read as follows: 13. *License Without Examination.* The board may register and license any applicant therefor who is legally qualified to treat human ailments or practice medicine in any state or country whose requirements the board deems equal to those in this state, upon a payment of a fee of fifty dollars.

8. *Children's Study Home.* The appropriation provided by section 9 of chapter 279 of the Laws of 1947, and the authority to issue bonds or notes thereunder, relative to improvements at the children's study home, shall not lapse but shall be continued and made available for the purposes of said section for the period from the passage of this act until June 30, 1951.

9. *Extension of Appropriation.* Notwithstanding the provisions of section 13 of chapter 322 of the Laws of 1949, any unexpended balance of the appropriation made under the provisions of chapter 294 of the Laws of 1947 for replacement of a burned barn at Laconia state school shall not lapse on July 1, 1950 but shall be available for repairs to roofs of build-

ings at Laconia state school, to be expended by the trustees of said school under the direction of the governor and council.

Further amend said bill by renumbering section 6 to read section 10.

The report was accepted.

The bill with the amendment pending was laid upon the table to be printed under rule 48.

Mrs. Mason of Berlin, for the Committee on Judiciary, to whom was referred Senate Bill No. 3, An Act relating to housing authorities, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Pickett of Keene, for the Committee on Judiciary, to whom was referred Senate Bill No. 4, An Act providing for recount of ballots on certain referendum questions, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Spaulding of Hudson, for the Committee on Executive Department and Administration, to whom was referred Senate Bill No. 5, An Act relative to retirement benefits for officials and employees of the Maine-New Hampshire Interstate Bridge Authority, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Resolution

Mr. Angus of Claremont offered the following resolution.

Whereas under Part 18 of House Bill No. 1. An Act providing for a Reorganization of the State Government, there is created a new position known as Director of the Division of Employment Security;

And Whereas we now have in the employ of the State an able public servant of 20 years' service, Mrs. Abby L. Wilder of Rindge, who has ably served the State as Director of the Federal Emergency Relief Administration, Director of the United States Employment Service, Director of New Hamp-

shire Employment Service, and Chairman of the War Manpower Commission of New Hampshire;

Resolved by the House of Representatives, That this record of faithful service be heartily endorsed and that it be recommended to the Governor and Council that her qualifications for the new position of Director of the Division of Employment Security be given full and impartial consideration.

The question being on the resolution.

(Discussion ensued)

Mr. Angus of Claremont spoke in favor of the resolution.

Mr. Betley of Manchester spoke against the resolution.

On a *viva voce* vote the resolution was not adopted.

Mr. Angus of Claremont asked for a division.

A division being had, the vote was declared manifestly in the negative, and the resolution was not adopted.

Mr. Angus of Claremont demanded the yeas and nays but subsequently withdrew his demand.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order this afternoon, to be in order at the present time, and that bills be read by their titles only, and when the House adjourns today it adjourns to meet Tuesday morning at 10:00 o'clock.

Third Readings

Senate Bill No. 3, An Act relating to housing authorities.

Senate Bill No. 4, An Act providing for recount of ballots on certain referendum questions.

Senate Bill No. 5, An Act relative to retirement benefits for officials and employees of the Maine-New Hampshire Interstate Bridge Authority.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Mason of Berlin at 11:35 o'clock the House adjourned.

TUESDAY, MAY 16, 1950

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God, we are grateful that it is our privilege to have some part in determining the welfare of our state; embue us with Thy Spirit, that we may be able to righteously and justly fulfill these privileges. Keep us resolute and steadfast in Thy laws; make us ever mindful that it is "righteousness that exalteth a nation"; give us faith in the omnipotence of good, and vision that we may look beyond the things which are seen and temporal; through Jesus Christ our Lord. Amen.

Leaves of Absence

Messrs. Wiggin of Ossipee, Towle of Epsom and Amadon of Keene, were granted leave of absence for the day on account of illness.

Messrs. Colbath of Concord and Perkins of Alton were granted leave of absence for the day on account of important business.

Mr. Pushee of Lyme was granted leave of absence for the day on account of attending a funeral.

Mr. Sherwin of Rindge was granted leave of absence for the week on account of important business.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives.

House Bill No. 1, Reorganization Act of 1950.

The message further announced that the Senate had passed a bill with the following title, in the passage of which it asked the concurrence of the House of Representatives.

Senate Bill No. 6, An Act correcting an administrative difficulty in the law relating to the gross weight of motor vehicles.

Senate Bill Read and Referred

Senate Bill No. 6, An Act correcting an administrative difficulty in the law relating to the gross weight of motor vehicles.

Read a first and second time and referred to the Committee on Transportation.

Committee Reports

Mrs. Wild of Jackson, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

Senate Bill No. 3, An Act relating to housing authorities.

Senate Bill No. 4, An Act providing for recount of ballots on certain referendum questions.

Senate Bill No. 5, An act relative to retirement benefits of officials and employees of the Maine-New Hampshire Interstate Bridge Authority.

The report was accepted.

Mrs. Richards of Exeter, for the Committee on Appropriations, to whom was referred House Bill No. 3, An Act providing for the construction of housing facilities for students and faculty at the University of New Hampshire, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tilton of Laconia, for the Committee on Appropriations, to whom was referred Senate Bill No. 1, An Act establishing the New Hampshire Teachers' Retirement System, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend chapter 136-B of the Revised Laws as inserted by section 1 of the bill by inserting after section 19 the following new section: 20. *Public Bidding.* All bonds or notes except short term loans issued under the provisions of this chapter shall be sold (1) at public sealed bidding (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire, and (3) to the highest bidder provided, however, that the governor and council may reject any or all bids and may negotiate for

said sale upon terms which it may deem most advantageous to the state.

Mr. Wadhams of Alexandria moved that the words "inexpedient to legislate" be substituted for the report of the committee, ought to pass with amendment.

The question being on the motion of Mr. Wadhams of Alexandria.

(Discussion ensued)

Mr. Wadhams of Alexandria spoke in favor of the motion.

Messrs. Atherton of Nashua and Barry of Wilton spoke against the motion.

On a *viva voce* vote the motion of Mr. Wadhams did not prevail.

Mr. Wadhams of Alexandria demanded the Yeas and Nays, and the roll was called with the following result:

Nays, 348

GRAFTON COUNTY: Brown of Ashland, Chamberlin of Bath, Whittier, Wheeler, Willey, Eggleston, Dunbar, Grass, Williams of Grafton, Atkins, Fuller, Holden, Chamberlin of Haverhill, Clough, Perry of Haverhill, Sommers, Adams of Lebanon, Ashley, Dwinell, Jones of Lebanon, Edson, Madden, Collins, Hamilton, Gardner of Littleton, Kelley of Littleton, Orr, Green of Orford, Bell, Loizeaux, Barney, Anderson.

COOS COUNTY: Dussault, Hinchey, Mason, Desilets, Henderson of Berlin, Lazure, Bartlett, Brungot, Christiansen, Bouchard, Fontaine, Gagnon of Berlin, Roy of Berlin, Currier, Gould, Falkenham, Hamlin of Dummer, Fraser, Malloy, Evans of Lancaster, Moses, Johnson of Milan, Baxter, Ellingwood, Potter, Converse of Pittsburg, Phelan, Baker, Hinman, Taylor.

ROCKINGHAM COUNTY: Griffin, Graves, Persson, Hazelton, Clark, Corson, Heon, Hepworth, Fecteau, Eldredge, Elwell, Rathbone, Richards, Weeks of Greenland, Root, Merrill, Underwood, Stevens, Parmenter, Labranche of Newmarket, Sewall, Carter of North Hampton, Johnson of Northwood, Colcord, Alessi, Dondero, Payette, Durell, Foote, Yeaton, Hobbs, Leary, Laraba, Ingraham of Portsmouth, Bluitte, Haigh, Peever, True, Durkee, Evans of South Hampton, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Redden, Stackpole, Gouin, Grimes, Marcotte, Felker, Crandall, Flanagan, Henderson of Durham, Parker, Webster, Wormhood, Horne, Dustin, Jones of Rochester, St. Pierre, Lacasse, Studley, Fernald, Leach, Green of Rollinsford, Lagueux, Letourneau, Coffin, Cater of Somersworth, Malley, Brown of Strafford.

BELKNAP COUNTY: McAllister, Dearborn, Sanborn of Center Harbor, Weeks of Gilford, Kelley of Gilmanton, Hart of Laconia, Normandin, Simoneau, Tilton of Laconia, Keller, Shannon, Thompson of Laconia, Brown of Laconia, Ewing, Ransom, Smith of Meredith, Smith of New Hampton, Atwood, Bruno.

CARROLL COUNTY: Washburn, Downs, Hill, Lucy, Thompson of Effingham, MacGown, Wild, Knox, Remick, Hodgdon, Sanborn of Wakefield, Hart of Wolfeboro, Thibodeau of Wolfeboro.

MERRIMACK COUNTY: Couture, Phelps, Nicoll, Moore, Rancour, Marden, Coakley, Ferrin, Besse, Flynn, Kennedy of Concord, Hurd, Nash, Corbett, Tilton of Concord, Bunten, Greene of Concord, Blodgett, Nawn, Sawyer of Concord, Sargent, Chase, Burke, LaBranche of Franklin, Ayotte, Lorden, Connor of Henniker, Dudevoir, Mullaire, Astles, Kenney, Spiller, Carr, Bellerose, Lea, Ferguson, Stapleton, Yerxa, Savory, Stebbins.

HILLSBOROUGH COUNTY: Wilson, French, Black, Farwell, Ellsworth, Jones of Francestown, Hambleton, Reed of Goffstown, Tirrell, Adams of Greenfield, Doonan, English, Boynton, Crosby, Goodwin of Hollis, Goodwin of Hudson, Spaulding of Hudson, Reid of Litchfield, Corliss, Daniels of Manchester, Kennedy of Manchester, Danforth, Geisel, Sawyer of Manchester, Connor of Manchester, Dwyer, Martel, Sweeney, Fitzgerald, Kean, Nolan, Healy of Manchester, Ward 5, Kazakis, Malatras, Shea of Manchester, Casey, Cavanaugh, Ecker, Sullivan of Manchester, Ward 6, Zyla, Downey, O'Connor, Sullivan of Manchester, Ward 7, Delisle, Kane, Roy of Manchester, Simard, Cary, Gagnon of Manchester, Auger, Getz, Roche, Roukey, April, Laflamme of Manchester, Lareau, Vaillancourt, Chapdelaine, Daniel of Manchester, Gauthier, Thibodeau of Manchester, Cannon, Donnelly, Wedick, Peaslee of Merrimack, Campbell, Falconer, Wadleigh, Atherton,

Cooper, Ramsdell, Boire, Landry, Belcourt, Brosnahan, Spalding of Nashua, Chasse, Marquis, Maynard, Dionne, Paquette, Shea of Nashua, Betters, Dupont, Lavoie, Cormier, Grandmaison, Janelle, Velishka, Cote, Girouard, Shedd, Thompson of New Ipswich, Bigelow, Cummings of Peterborough, Myhaver, Osborne, Barry.

CHESHIRE COUNTY: Ring, Dort, Thomas, Miller, Walker of Hinsdale, Spofford, Perry of Jaffrey, Aldrich, Willard, Landers, Darling, Erwin, Smith of Keene, Turner, Pickett, Zimmerman, Hall, Tolman, Blake, Kershaw, Lang, Killeen, Rhodes, Billings, Ingham of Winchester, Thompson of Winchester.

SULLIVAN COUNTY: Perkins, Angus, Converse of Claremont, Bissonnett, White, Baron, Simms, Stetson, Carter of Cornish, Nelson, Walker of Grantham, Holmes of Langdon, Wirkkala, Cummings of Newport, Downing, Farmer, Rowell, Read of Plaintfield, Russell, Williams of Washington.

Yeas, 4

GRAFTON COUNTY: Wadhams.

STRAFFORD COUNTY: Dodge.

CHESHIRE COUNTY: Andrews.

SULLIVAN COUNTY: Callum.

And the motion of Mr. Wadhams of Alexandria to substitute the words "inexpedient to legislate" for the report of the committee, ought to pass with amendment, did not prevail.

The question being on the report of the committee, ought to pass with amendment.

On a *viva voce* vote the report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Sanborn of Wakefield moved that the rules be suspended and that Senate Bill No. 1, An Act establishing the New Hampshire Teachers' Retirement System and House Bill No. 3, An Act providing for the construction of housing facilities for students and faculty at the University of New Hampshire, be put upon their third and final passage, by title at the present time.

On a *viva voce* vote the motion prevailed.

House Bill No. 3 was read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 1 was read a third time and passed and sent to the Senate for concurrence in the amendment.

Reconsiderations

Mr. Laraba of Portsmouth moved that the House reconsider the vote whereby it passed Senate Bill No. 1.

On a *viva voce* vote the motion to reconsider did not prevail.

Mr. Spaulding of Hudson moved that the House reconsider the vote whereby it passed House Bill No. 3.

On a *viva voce* vote the motion to reconsider did not prevail.

Mr. Fernald of Rochester, for the Committee on Fisheries and Game, to whom was referred House Bill No. 6, An Act defining certain terms under the fish and game laws, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

An act defining certain terms under the fish and game laws.

Amend the title of the bill by striking out the same and inserting in place thereof, the following:

An Act defining certain terms under the fish and game laws and relating to lobsters and crabs.

Further amend said bill by inserting after section 1 the following new sections:

2. *Requirements; Fees.* Amend section 42 of chapter 245 of the Revised Laws by striking out said section and inserting in place thereof the following: 42. *License.* No person shall at any time place, set, keep, maintain, supervise, lift, raise or draw in, from any waters under the jurisdiction of this state, or in any way aid or assist in so doing, any pot, trap, warp, or any other device used in taking lobsters or crabs without first procuring a special license so to do; nor during the time from sunset to one hour before sunrise. Such license shall be issued by the director, under such rules and regulations and in such form as may be prescribed by him. The fee for such license shall be ten dollars, provided that if the person does not take lobsters or crabs for the purpose of

selling the same and does not use more than ten traps, the fee for such limited license shall be three dollars. The fees and fines collected under the provisions of this subdivision and the expense of enforcing same shall be accounted for separately by the Director.

3. *Violations.* Amend section 43 of chapter 245 of the Revised Laws by striking out said section and inserting in place thereof the following: 43. *Revocation; Suspension.* Persons convicted for violation of the provisions pertaining to taking lobsters and crabs shall forfeit their license for not more than one year in the discretion of the director. If an appeal is taken the license shall be suspended pending the disposition of said case and for not more than one year thereafter from date of conviction by the higher court. The director shall revoke the license of any person who has been found guilty in any court a second time within five years of the first finding of guilt, of a violation of any such laws or regulations, for a period of not less than one, nor more than three years from the date of such finding or conviction. The director may order any license to be suspended or revoked, after due hearing, for any cause that he may deem sufficient. Any person whose license has been revoked or suspended shall not accompany any licensed fisherman or assist him in any way while he is engaged in taking or transporting lobsters or crabs.

4. *Inspection.* Amend section 43-a of chapter 245 of the Revised Laws as inserted by chapter 278, Laws of 1947, by adding at the end thereof the following: Said lobster traps, pots, cars or devices shall be taken to a place of storage on the shore and shall be inspected by a conservation officer and such traps, pots, cars or devices shall not be placed in the water again by any other person until they have been inspected by a conservation officer and rebranded with the last name and initials of the new user in a manner satisfactory to the conservation officer, so that said section as amended shall read as follows: 43-a. *Removal of Devices.* Any person whose license has been suspended shall within five days remove from the waters all lobster traps, pots, cars, or any device used in taking or storing of lobsters and crabs. Said lobster traps, pots, cars or devices shall be taken to a place of storage on the shore and shall be inspected by a conservation officer and such traps, pots, cars or devices shall not be placed in the water again by any other person until they have been

inspected by a conservation officer and rebranded with the last name and initials of the new user in a manner satisfactory to the conservation officer.

5. *Definition of Resident.* Amend section 44 of chapter 245 of the Revised Laws by inserting after the word "years" in the fourth line the word, immediately, so that said section as amended shall read as follows: 44. *Who May Take Lobsters and Crabs.* No person shall take lobsters or crabs from the waters of New Hampshire unless he is a bona fide resident of the state, and no license shall be issued to a person unless he shall furnish proof that he has resided within the state for at least five years immediately preceding this application for a license and has not during that time claimed residence in any other state for any purpose.

6. *Female Lobsters.* Amend section 45 of chapter 245 of the Revised Laws by striking out the words "with a distinctive mark" and inserting in place thereof the following: by a V notch not less than one-half inch in width at the widest point, in the middle flipper of the tail, so that said section as amended shall read as follows: 45. *Distinctive Mark.* Any person taking any female lobster carrying spawn shall immediately mark said lobster by a V notch not less than one-half inch in width at the widest point, in the middle flipper of the tail, and return said lobster to the water. The director shall furnish to any person requesting the same a punch for the purpose of making such distinctive mark.

7. *Prohibitions.* Amend chapter 245 of the Revised Laws by inserting after section 46 the following new section: 46-a. *Female Lobsters.* Whoever takes, buys, sells or has in his possession any female lobster bearing eggs or marked as specified in section 45 shall be fined ten dollars plus not more than ten dollars for each such female lobster involved, or imprisoned for not more than ninety days or both. But a person who takes any such lobster and immediately returns it alive to the waters from which it was taken shall not be subject to such penalty. This section shall not apply to lobsters spawning in cars or pounds if they are, upon discovery, immediately marked and liberated alive in the coastal waters, nor shall anything herein contained be construed as prohibiting the director or his agents from possessing and transporting

female lobsters carrying spawn, or having the distinctive mark, for propagation purposes.

8. *Possession.* Amend section 47 of chapter 245 of the Revised Laws as amended by chapter 114 of the Laws of 1943 by inserting after the word "sale" in the ninth line the words, or possesses for any purpose, so that said section as amended shall read as follows 47. *Legal Length.* No person shall buy, sell, give away or expose for sale, or possess for any purpose, any lobster less than three and one-eighth inches in length alive or dead, cooked or uncooked, measured from the rear of the eye socket along a line parallel to the center line of the body shell to the rear end of the body shell. Whoever ships, transports, carries, buys, gives away, sells or exposes for sale, or possesses for any purpose, lobster meat after the same shall have been taken from the shell without the tail meat being whole and intact, and of a length of less than four and one-quarter inches when laid out straight and measured from end to end, not including the small part that is on the body end of the tail meat, shall be liable to the penalty imposed for violation of this section.

9. *Cooked Lobster.* Amend chapter 245 of the Revised Laws by inserting after section 47 the following new section: 47-a. *Exceptions.* Nothing in the provisions of section 47 shall be construed to prevent hotels or restaurants serving cooked lobster to guests for immediate consumption as food from chopping meat taken from lobster of legal length in reasonable quantities for current use; nor shall said section prevent an individual from chopping lobster meat for immediate consumption for himself, his family or his guests.

10. *Equipment.* Amend section 49 of chapter 245 of the Revised Laws by striking out said section and inserting in place thereof the following: 49. *Marking Pots and Traps.* No person shall set any pot or trap for any lobster or crab without having the pot or trap and buoy attached, plainly carved or branded with his last name and initials. No person, shall use or set in any tidal waters any car or other contrivance for holding or keeping lobsters or crabs without having such car or contrivance plainly marked with the last name and initials carved or branded thereon. Any pots, traps, cars or other contrivance used to catch or store lobsters or crabs in

violation of any provision hereof any lobsters or crabs therein shall be forfeited.

11. *Lobster Pots and Traps.* On and after March 1, 1951 no person shall possess on the coastal waters of the state of New Hampshire or use therein any lobster trap or pot unless it shall have at the bottom on each side thereof an opening not less than one and five-eighth inches wide, which such opening shall at all time be maintained clear and undiminished.

12. *Penalties.* Amend section 52 of chapter 245 of the Revised Laws as amended by section 2 of chapter 228 of the Laws of 1947 by striking out said section and inserting in place thereof the following: 52. *Prohibition.* If a conservation officer shall inform a person that his boat and its contents are about to be inspected, it shall be unlawful for said person to throw overboard or destroy any fish, lobsters, crabs, shellfish or any pot, trap, car, contrivance, bag, box or other receptacle used for storing or catching lobsters or crabs, or the contents thereof, or any other article or thing, or to cut loose any article or thing which may be dragging beside said boat, prior to such inspection. If any person shall refuse to stand by for such inspection he shall be subject to arrest. Any person violating the provisions of this section shall be fined not exceeding one hundred dollars or imprisoned for not exceeding sixty days, or both, and the director shall suspend the license of such person to take lobsters and crabs for not exceeding one year.

13. *Wholesale Lobster Dealers.* Amend chapter 245 of the Revised Laws by inserting after section 53 the following new section: 53-a. *License,* No person, firm or corporation shall engage in a wholesale trade in lobsters without first having procured from the director a written license therefor. The fee for a license, designated as a wholesale lobster dealer's license, shall be twenty-five dollars and shall entitle the holder to buy and sell and transport lobsters in wholesale trade within the state and to ship the same within and outside the state. Any person, firm or corporation licensed under the provisions of this section that maintain any facility for the buying of lobsters at any point other than his or their principal place of business, shall procure from the director for each such facility a supplemental license and the fee therefor shall be three

dollars. Any person, firm or corporation that distributes lobsters or parts thereof, commercially, in bulk lots of more than fifty pounds for resale or processing and consumption by others than the purchaser, shall be classified as a wholesale dealer. Any dealer licensed under the provisions of this section, who buys lobsters in excess of fifty pounds at one time, shall record the license number of the seller and shall keep such record for one year, which record shall be available for the inspection of any conservation officer of the department.

14. *Forfeiture of Licenses.* Amend chapter 245 of the Revised Laws by inserting after section 53-a the following new section: 53-b. *Revocation.* Any person holding a license under sections 53 or 53-a who is convicted of a violation of the laws relating to lobsters and crabs shall forfeit such license for not more than one year from the date of conviction in the discretion of the director.

15. *Change in Penalties.* Amend section 56 of chapter 245 of the Revised Laws by striking out the whole of said section and inserting in place thereof the following: 56. *Penalties.* Any person who violates a provision of this subdivision shall be penalized as follows: For a violation of sections 43-a, 44, 45, 46, 46-a, 49, 50, 53 or 53-a, a fine of not more than fifty dollars for each offense; for a violation of sections 42, 43, or 48, a fine of not more than fifty dollars or imprisoned for not more than thirty days or both; for a violation of section 47, a fine of five dollars and not more than five dollars additional for each lobster or parts thereof involved, or imprisoned for not more than ninety days, or both.

16. *Appropriations.* There is hereby appropriated for the administration of sections 2 through 16 of this act the sum of six thousand five hundred dollars for the fiscal year ending June 30, 1951.

17. *Saving Clause.* Nothing herein contained shall in any manner affect the prosecution of any offense, relative to lobsters and crabs, committed prior to the passage of this act which said offense may be prosecuted or prosecution therefor continued under the provisions of sections 42 to 56 of chapter 245 of the Revised Laws as they existed prior to the passage of this act.

Further amend said bill by renumbering section 2 to be section 18.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Taken from the Table

Mr. Henderson of Durham, for the Committee on Appropriations, to whom was referred House Bill No. 2, An Act relative to construction, reconstruction and betterment of primary and secondary highways, reported the same with the amendment as printed on pages 10 and 11 of May 11 Journal, and the recommendation that the bill as amended ought to pass.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Sanborn of Wakefield, for the Committee on Appropriations, to whom was referred House Bill No. 5, An Act making additional appropriations, reported the same with the amendment as printed on pages 12 and 13 of Journal of May 11, and the recommendation that the bill as amended ought to pass.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Sanborn of Wakefield moved that the rules be suspended and that House Bills Nos. 2 and 5 be put upon their third readings and final passage, by title, at the present time.

On a *viva voce* vote the motion prevailed .

House Bills Nos. 2 and 5 were read a third time and passed and sent to the Senate for concurrence.

Reconsiderations

Mr. Sanborn of Wakefield moved that the House reconsider the vote whereby the House passed House Bill No. 2.

On a *viva voce* vote the motion to reconsider did not prevail.

Mr. Atherton of Nashua moved that the House reconsider the vote whereby the House passed House Bill No. 3.

On a *viva voce* vote the motion to reconsider did not prevail.

Motion

Mr. Geisel of Manchester offered the following motion:

Resolved, That the joint rules be suspended so as to permit the introduction of a joint resolution.

The question being on the motion.

(Discussion ensued)

Messrs. Giesel of Manchester, Edson of Lebanon, Downing of Newport and Pickett of Keene and Mrs. Dondero of Portsmouth spoke in favor of the motion.

Messrs. Ferguson of Pittsfield, Wadleigh of Milford and Sanborn of Wakefield spoke against the motion.

Mr. Donnelly of Manchester moved the previous question. The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion of Mr. Giesel of Manchester.

A division being had, 216 members having voted in the affirmative, and 135 members having voted in the negative, and less than two-thirds of the whole number of elected members voting to suspend (Joint Rule No. 12), the rules the motion did not prevail.

Mr. Geisel of Manchester demanded the Yeas and Nays, but subsequently withdrew demand.

Mr. Gagnon of Manchester demanded the Yeas and Nays, and the roll was called with the following result:

Yeas, 220

HILLSBOROUGH COUNTY: French, Black, Farwell, Ellsworth, Jones of Francestown, Hambleton, Tirrell, Adams of Greenfield, Crosby, Reid of Litchfield, Corliss, Daniels of Manchester, Kennedy of Manchester, Danforth, Geisel, Sawyer of Manchester, Connor of Manchester, Dwyer, Martel, Sweeney, Fitzgerald, Kean, Nolan, Betley, Healy of Manchester, Ward 5, Kazakis, Malatras, Shea of Manchester, Casey, Cavanaugh, Ecker, Healy of Manchester, Ward 6, Sullivan of Manchester, Ward 6, Zyla, Downey, Leclerc, O'Connor, Sullivan of Manchester, Ward 7, Delisle, Kane, Roy of Manchester, Simard, Cary, Gagnon of Manchester, Auger, Getz, Roche, Roukey, April, LaFlamme of Manchester, Lareau,

Vaillancourt, Daniel of Manchester, Gauthier, Thibodeau of Manchester, Cannon, Donnelly, Wedick, Falconer, Cooper, Boire, Landry, Belcourt, Brosnahan, Spalding of Nashua, Chasse, Marquis, Maynard, Dionne, Paquette, Shea of Nashua, Betters, Dupont, Lavoie, Grandmaison, Janelle, Valishka, Cote, Girouard.

CHESHIRE COUNTY: Ring, Thomas, Walker of Hinsdale. Darling, Pickett, Zimmermon, Forbes, Andrews, Blake, Killeen, Thompson of Winchester.

SULLIVAN COUNTY: Angus, Converse of Claremont, White, Baron, Stetson, Riley, Walker of Grantham, Holmes of Langdon, Wirkkala, Downing, Farmer, Callum.

GRAFTON COUNTY: Eggleston, Clough, Perry of Haverhill, Sommers, Ashley, Jones of Lebanon, Edson, Madden, Gardner of Littleton, Orr, Anderson.

COOS COUNTY: Dussault, Hinchey, Desilets, Henderson of Berlin, Lazure, Bartlett, Brungot, Christiansen, Bouchard, Fontaine, Gagnon of Berlin, Roy of Berlin, Moses, Johnson of Milan, Baxter, Potter, Converse of Pittsburg, Phelan, Baker, Hinman.

ROCKINGHAM COUNTY: Graves, Clark, Corson, Hepworth, Fecteau, Eldredge, Richards, Sanborn of Fremont, Root, LaBranche of Newmarket, Sewall, Alessi, Dondero, Payette, Durell, Foote, Yeaton, Hobbs, Leary, Ingraham of Portsmouth, True, Durkee.

STRAFFORD COUNTY: Redden, Stackpole, Gouin, Grimes, Marcotte, Felker, Crandall, Dodge, Flanagan, Henderson of Durham, Parker, Webster, Horne, St. Pierre, LaCasse, Green of Rollinsford, Lagueux, Letourneau, Coffin, Cater of Somersworth.

BELKNAP COUNTY: Dearborn, Sanborn of Center Harbor, Hart of Laconia, Normandin, Simoneau, Tilton of Laconia, Keller, Shannon, Thompson of Laconia, Brown of Laconia, Ewing, Smith of New Hampton, Bruno.

CARROLL COUNTY: Downs, Hill, Lucy, Thompson of Effingham, MacGown, Banfield, Hodgdon, Thibodeau of Wolfeboro.

MERRIMACK COUNTY: Couture, Colby, Nicoll, Marden, Coakley, Ferrin, Corbett, Blodgett, Nawn, Sargent, Chase, Burke, LaBranche of Franklin, Ayotte, Connor of Henniker, Dudevoir, Mullaire, Kenney, Spiller, Bellerose, Lea, Ferguson, Stapleton, Savory.

Nays, 136

HILLSBOROUGH COUNTY: Wilson, Reed of Goffstown, Doonan, English, Boynton, Goodwin of Hollis, Goodwin of Hudson, Spaulding of Hudson, Peaslee of Merrimack, Campbell, Wadleigh, Atherton, Ramsdell, Cormier, Shedd, Thompson of New Ipswich, Bigelow, Cummings of Peterborough, Myhaver, Osborne, Barry.

CHESHIRE COUNTY: Dort, Miller, Spofford, Perry of Jaffrey, Aldrich, Willard, Landers, Erwin, Smith of Keene, Turner, Hall, Tolman, Kershaw, Lang, Rhodes, Billings, Ingham of Winchester.

SULLIVAN COUNTY: Perkins, Bissonnett, Carter of Cornish, Nelson, Cummings of Newport, Rowell, Read of Plainfield, Russell, Williams of Washington.

GRAFTON COUNTY: Wadhams, Brown of Ashland, Chamberlin of Bath, Whittier, Wheeler, Willey, Dunbar, Grass, Williams of Grafton, Atkins, Fuller, Holden, Chamberlin of Haverhill, Adams of Lebanon, Dwinell, Collins, Hamilton, Kelley of Littleton, Green of Orford, Bell, Loizeaux, Barney.

COOS COUNTY: Mason, Currier, Gould, Falkenham, Hamlin of Dummer, Fraser, Malloy, Evans of Lancaster, Ellingwood, Taylor.

ROCKINGHAM COUNTY: Griffin, Hazelton, Heon, Elwell, Rathbone, Weeks of Greenland, Merrill, Underwood, Stevens, Parmenter, Carter of North Hampton, Johnson of Northwood, Colcord, Laraba, Bluitte, Haigh, Peever, Evans of South Hampton, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Wormhood, Dustin, Jones of Rochester, Studley, Fernald, Leach, Malley, Brown of Strafford.

BELKNAP COUNTY: McAllister, Weeks of Gilford, Kelley of Gilmanton, Ransom, Smith of Meredith, Atwood.

CARROLL COUNTY: Washburn, Wild, Knox, Remick, Sanborn of Wakefield.

MERRIMACK COUNTY: Phelps, Moore, Rancour, Besse, Flynn, Kennedy of Concord, Hurd, Nash, Tilton of Concord, Bunten, Greene of Concord, Sawyer of Concord, Lorden, Astles, Carr, Yerxa, Stebbins.

And the motion of Mr. Giesel did not prevail.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill:

Senate Bill No. 1, An Act establishing the New Hampshire Teachers' Retirement System.

The message also announced that the Senate had passed the following joint resolution, in the passage of which it asked the concurrence of the House of Representatives:

Senate Joint Resolution No. 16, Joint Resolution making appropriation for expenses in connection with forest fires.

Senate Joint Resolution Read and Referred

Senate Joint Resolution No. 16, Joint Resolution making appropriation for expenses in connection with forest fires.

Read a first and second time and referred to the Committee on Appropriations.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order this afternoon, to be in order at the present time, and bills be read by title only, and when the House adjourns today it adjourn to meet Wednesday morning at 11:00 o'clock.

On motion of Mr. Giesel of Manchester at 1:17 o'clock the House adjourned.

WEDNESDAY, MAY 17, 1951

The House met according to adjournment.

Prayer was offered by Rev. William J. Kitto, Pastor of First Presbyterian Church of Manchester.

Eternal God, in Whom all the sons of earth are blessed, wilt Thou now bless us with the realization of Thy Presence in our midst. Grant the leadership of Thy Spirit unto all who here have been intrusted with the task of leading others. Strengthen them in body, mind, and spirit, unto the successful completion of their work. Fill their hearts with a zeal for service, and with unselfish love for those whom they serve. Bless them abundantly, that they may ever be a blessing unto Thy people. In Jesus name we pray. Amen.

Leaves of Absence

Mr. Colbath of Concord was granted leave of absence for the day on account of important business.

Messrs. Amadon of Keene, Tilton of Concord, Billings of Westmoreland were granted leave of absence for the day on account of illness.

Mr. Perkins of Alton was granted leave of absence for the remainder of the week on account of illness.

Mr. Kimball of Jefferson was granted leave of absence for the week on account of illness.

Committee Reports

Mr. Merrill of Hampton, for the Committee on Appropriations, to whom was referred House Bill No. 6, An act defining certain terms under the fish and game laws, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 16 by adding at the end thereof the words, Said sum appropriated shall be a charge upon the fish and game fund, so that said section as amended shall read as follows:

16. *Appropriations:* There is hereby appropriated for the administration of sections 2 through 16 of this act the sum of six thousand five hundred dollars for the fiscal year

ending June 30, 1951. Said sum appropriated shall be a charge upon the fish and game fund.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Messrs. Underwood of Hampton, Henderson of Durham and Sanborn of Wakefield and Mrs. Richards of Exeter spoke in favor of the amendment.

Mr. Fernald of Rochester spoke against the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Fernald of Rochester asked for a division.

A division being had, 221 members having voted in the affirmative and 53 members having voted in the negative, the amendment was adopted and the bill ordered to a third reading.

Mr. Sanborn of Wakefield moved that the rules be suspended and House Bill No. 6 be put upon its third reading and final passage, by title, at the present time.

On a *viva voce* vote the motion was adopted.

The bill was read a third time and passed and sent to the Senate for concurrence.

Reconsideration

Mr. Underwood of Hampton moved that the House reconsider the vote whereby it passed House Bill No. 6.

On a *viva voce* vote the motion to reconsider did not prevail.

Mr. Sanborn of Wakefield, for the Committee on Appropriations, to whom was referred Senate Bill No. 2, An Act to establish a unified personnel system for the state, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Ferguson of Pittsfield offered the following motion:

Resolved, That the House go into Committee of the Whole forthwith for discussion and consideration of Senate Bill No. 2, An Act to establish a unified personnel system for the state.

The question being on the motion of Mr. Ferguson of Pittsfield.

(Discussion ensued)

Mr. Ferguson of Pittsfield spoke in favor of the motion.

Messrs. Barry of Wilton and Turner of Keene spoke against the motion.

On a *viva voce* vote the motion to reconsider did not prevail.

The question being, Shall the bill be read a third time?

(Discussion ensued)

Messrs. Fletcher of Mont Vernon, Sanborn of Wakefield, Lea of Pembroke and Pickett of Keene, spoke in favor of the motion.

Mr. Ferguson of Pittsfield spoke against the motion.

Mr. Turner of Keene moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion, Shall bill be read a third time?

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Lea of Pembroke moved that the rules be suspended and Senate Bill No. 2 be put upon its third reading and final passage, by title, at the present time.

On a *viva voce* vote the motion prevailed.

The bill was read a third time and passed and sent to the Secretary of State to be engrossed.

Reconsideration

Mr. Lea of Pembroke moved that the House reconsider the vote whereby the House passed Senate Bill No. 2.

On a *viva voce* vote the motion to reconsider did not prevail.

Concurrent Resolution

Mr. Turner of Keene offered the following concurrent resolution.

Whereas it appears that all necessary legislative work of this special session will be accomplished by Thursday, May 18th inst., resolved by the House of Representatives, the

Senate concurring, that this special session of the Legislature be brought to final adjournment on Thursday, May 18th at 3 o'clock in the afternoon.

Further Resolved, That on that date all pending reports, bills and joint resolutions outstanding be indefinitely postponed.

On a *viva voce* vote the resolution was adopted and the concurrent resolution sent to the Senate for concurrence.

Message from the Senate

A message from the Honorable Senate by its Clerk announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 2, An Act relative to construction, reconstruction and betterment of primary and secondary highways.

Amend section 10 of the bill by striking out in the eleventh line the words "one twenty-fifth" and substituting in place thereof the words, one twentieh, so that said section shall read as follows:

10. *Payments.* Amend chapter 322 of the Laws of 1949 by inserting after section 8 the following new section: 8-a. *Sinking Fund.* The state treasurer shall, during the life of any notes or bonds issued to provide funds for the approriation made in section 2, establish and keep a separate account to be known as the State Office Building Sinking Fund Account into which shall be paid such amounts as the governor and council may determine to be proper and reasonable charges against departmental appropriations for space occupied in said building. There shall also be paid into said fund any premium received in connection with the sale of said bonds. In each fiscal year after the issuance of bonds or notes for said section 2, the amount so paid into said fund shall be not less than one-twentieth of the principal amount of bonds issued hereunder, plus interest requirements. The funds in said account shall be applied to the payment of the interest and principal of the said bonds and notes issued for the construction of said new state office building, and costs incident to said bond or note issue.

On motion of Mr. Atherton of Nashua, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 5, An Act making additional appropriations.

Amend said bill by striking out Section 10 and inserting in place thereof the following new section:

10. *Transfer of Appropriation.* Notwithstanding the provisions of paragraph X of Section 1 of Chapter 322 of the Laws of 1949 or any other provision of said act, the Governor and Council may transfer and cause to be expended such part of the appropriation for Glencliff Sanatorium provided in said paragraph X to provide suitable quarters for custodial and maintenance employees, to provide adequate furnishings, to repair hydro-electric system and to repair existing flooring, as they deem to be necessary for the best interests of said institution.

11. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Atherton of Nashua the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 7, An Act relating to powers of certain municipal and private corporations, and certain counties, and clarifying a certain provision of the motor vehicle law.

Amend the bill by adding after Section 24, the following new sections:

25. *Hampstead Town Meeting.* The votes and proceedings of the special town meeting held in the town of Hampstead on September 23, 1949, relative to election of officers, are hereby legalized, ratified and confirmed.

26. *Wolfeboro Village Fire Precinct.* Amend Section (9) of Chapter 443 of the Session Laws of 1949 by crossing out "one hundred thousand dollars" and substituting in place thereof "one hundred and fifty thousand dollars."

Amend section (10) of Chapter 443 of the Session Laws of 1949 by crossing out "one hundred thousand dollars" and substituting in the place thereof "one hundred and fifty thousand dollars."

27. *Stratford Town Meeting.* The votes and proceedings of the town meeting held in the town of Stratford on March 14, 1950 are hereby legalized, ratified and confirmed.

Further amend the bill by renumbering section 25 to read Section 28.

On motion of Mr. Jones of Lebanon the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 3, An Act providing for the construction of housing facilities for students and faculty at the University of New Hampshire.

Committee Report

Mrs. Wild of Jackson, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bill:

House Bill No. 1, Reorganization Act of 1950.

The report was accepted.

Announcement

The Speaker read the following announcement:

There will be a meeting of the Belknap County Delegation in the Recreation Room, State House, Thursday, May 18 at 10:00 A. M., to consider the budget and registration of deeds.

Resolutions

Mr. Roche of Manchester offered the following resolution:

Whereas, we have learned of the death of Elmer D. Roukey, member of the House of Representatives from Manchester during the sessions of 1927-1929, 1933 and 1935, and uncle of Joseph Roukey, Representative from Manchester, therefore be it

Resolved, That we extend our heartfelt sympathy to our fellow member in his bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Representative Roukey.

On a *viva voce* vote the resolution was adopted.

Mr. Sullivan of Manchester offered the following resolution:

Whereas, we have learned of the death of Michael Zyla, brother of John Zyla, Representative from Manchester, therefore be it

Resolved, That we, the members of the House of Representatives, extend our heartfelt sympathy to our fellow member in his bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Representative Zyla.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order this afternoon, to be in order at the present time, and bills be read by title only, and when the House adjourns today it adjourn to meet Thursday morning at 11:00 o'clock.

On motion of Mr. Ferguson of Pittsfield at 12:35 o'clock the House adjourned.

THURSDAY, MAY 18, 1950

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God, in whom we live and move and have our being, give us strength to live another day, and to live it as unto Thee. Help us that we may not turn coward before the difficulties that may confront us, or recreant to the duties that come our way. Give us the courage to live so honestly and

fearlessly that no outward failure will dishearten us, or take away the joy of conscious integrity. In our efforts of the past few weeks of this legislative session, we ask Thy blessing upon the things we have done that we should have done, and Thy forgiveness for having left undone anything that could have been for the welfare of our state; through Jesus Christ our Lord. Amen.

Leaves of Absence

Mr. Goodwin of Hollis was granted leave of absence for the day on account of being out of the state.

Mr. Sanborn of Center Harbor was granted leave of absence for the day on account of important business.

Mr. Tilton of Concord was granted leave of absence for the day on account of illness.

Committee Report

Mr. Barry of Wilton, for the Committee on Appropriations, to whom was referred Senate Joint Resolution No. 16, Joint Resolution making appropriation for expenses in connection with forest fires, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mrs. Miller of Fitzwilliam, for the Committee on Transportation, to whom was referred Senate Bill No. 6, An Act correcting an administrative difficulty in the law relating to the gross weight of motor vehicles, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Atherton of Nashua moved that the rules be suspended and that Senate Joint Resolution No. 16 and Senate Bill No. 6, be put upon their third reading and final passage, by caption and title, at the present time.

On a *viva voce* vote the motion prevailed.

Third Readings

Senate Joint Resolution No. 16, Joint Resolution making appropriation for expenses in connection with forest fires.

Senate Bill No. 6, An Act correcting an administration difficulty in the law relating to the gross weight of motor vehicles.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

Mrs. Wild of Jackson, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

Senate Bill No. 1, An Act establishing the New Hampshire Teachers' Retirement System.

House Bill No. 3, An Act providing for the construction of housing facilities for students and faculty at the University of New Hampshire.

House Bill No. 5, An Act making additional appropriations.

The report was accepted.

Concurrent Resolution

Mr. Turner of Keene offered the following concurrent resolution:

Resolved, by the House of Representatives, the Senate concurring, that Joint Rule No. 10 be suspended to permit the transmission by the House to the Senate of the Omnibus bill on this date.

The question being on the concurrent resolution.

(Discussion ensued)

Mr. Turner of Keene spoke in favor of the concurrent resolution.

On a *viva voce* vote the concurrent resolution was adopted, and sent to the Senate for concurrence.

Resolution

Mr. Dort of Chesterfield, with the concurrence of the Committee on Rules, offered the following concurrent resolution:

Whereas, there is now pending before Congress of the United States a bill known as HR 271 which would exempt from the admissions tax admissions to recreation facilities and activities operated by the several states or political subdivisions thereof, and

Whereas, the State of New Hampshire has been developing its recreational facilities for the benefit of its inhabitants and others, and

Whereas, the imposition of a federal tax on admissions charged for use of state facilities will hamper use of these facilities and also reduce the use of said revenues for further development of recreation in this state, and

Whereas, no part of the revenue from admissions to said areas inures to the benefit of any private individual; now therefore be it

Resolved, That the House of Representatives and Senate of The State of New Hampshire in General Court convened, do hereby urge the Congress of the United States expeditiously to pass the above mentioned HR 271, or similar legislation to exempt from the federal tax admissions to recreational facilities of the states; and be it further

Resolved, That the Secretary of State forward a copy of these resolutions to each of the Senators and Representatives of this State in Congress.

On a *viva voce* vote the resolution was adopted.

Mr. Atherton of Nashua moved that the rules be suspended and printing of House Joint Resolution No. 2 be dispensed with and the Appropriation Committee be allowed to hold a hearing without advertising same in the Journal.

On a *viva voce* vote the motion prevailed.

Recess

After Recess

Mrs. Wild of Jackson, for the Committee on Engrossed Bills, to whom was referred House Bill No. 7, An Act relating to the powers of certain municipal and private corporations and certain counties, and clarifying a certain provision of the motor vehicle laws, reported the same, under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 7 of said bill by striking out the words "Revised Laws abrogated" in the 10th line and inserting in place thereof the words, Revised Laws are abrogated.

Amend section 14 of said bill by striking out the 8th, 9th and 10th lines and inserting in place thereof the following: adequate to house all the pupils in the first six grades in the district, then sections 10, 11, 12, 13 and 14 shall become null and void immediately and the pre-existing districts automatically re-established as though this act had never been passed and been in effect. The warrant

Amend section 15 of said bill by striking out the same and inserting in place thereof the following:

15. *Application of Statutes.* Any acts inconsistent with the provisions of sections 10 to 14 of this act are repealed to the extent of such inconsistencies.

Amend section 26 of said bill by striking out said section and inserting in place thereof the following:

26. *Wolfeboro Village Fire Precinct.* Amend sections 9 and 10 of chapter 443 of the Laws of 1949 by inserting after the word "hundred" where it occurs in said sections the words, and fifty, so that said sections as amended shall read as follows:

9. *Wolfeboro Fire Precinct, Additional Debt Authorized.* The village fire precinct of the town of Wolfeboro is hereby authorized to incur indebtedness in an amount not exceeding one hundred and fifty thousand dollars for the purpose of improving its electric light plant, extending its electric lines and for delayed maintenance, said amount to be in addition to the amounts already authorized by law.

10. *Bonds Authorized.* In accordance with section 9 hereof, the commissioners of the village fire precinct of the town of Wolfeboro are hereby empowered and authorized to issue for and in behalf of said district serial notes or bonds to an amount not exceeding one hundred and fifty thousand dollars for the purposes specified in said section 9. Said notes or bonds shall be issued in conformity with the provisions of chapter 72 of the Revised Laws excepting as may be otherwise provided in sections 9, 10 and 11 hereof.

On motion of Mr. Turner of Keene the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asked the concurrence of the House of Representatives:

House Bill No. 6, An Act defining certain terms under the fish and game laws, and relating to lobsters and crabs.

Amend section 16 by striking out in line 4 the words "fish and game fund," and substitute therefor the words, general fund of the state; so that said section shall read:

16. *Appropriations.* There is hereby appropriated for the administration of sections 2 through 16 of this act the sum of six thousand, five hundred dollars for the fiscal year ending June 30, 1951. Said sum appropriated shall be a charge upon the general fund of the state.

On motion of Mrs. Richards of Exeter the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolution:

Resolved, by the House of Representatives, the Senate concurring, That Joint Rule No. 10 be suspended to permit the transmission by the House of Representatives to the Senate of the Omnibus bill on this date.

Committee Report

Mr. Atherton of Nashua moved that the rules be suspended to allow of a committee report which had not been previously advertised in the Journal.

On a *viva voce* vote the motion prevailed.

Mr. Cummings of Newport, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 2, Joint Resolution in favor of Clarence A. DuBois and others, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution was ordered to a third reading.

Mr. Atherton of Nashua moved the rules be suspended and that House Joint Resolution No. 2 be put upon its third reading and final passage, by caption, at the present time.

On a *viva voce* vote the motion prevailed.

The joint resolution was read a third time and passed and sent to the Senate for concurrence.

Resolutions

Whereas, we have learned of the death of Mrs. Charlotte Dondero, Newburyport, Mass., aunt of Mary Dondero, Representative from Portsmouth, therefore be it

Resolved, That we, the members of the House of Representatives, extend our heartfelt sympathy to our fellow member in her bereavement, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Mrs. Dondero.

On a *viva voce* vote the resolution was adopted.

Mr. Evans of Lancaster offered the following resolution.

Whereas, we have learned of the illness of Raymond Kimball, member of the House of Representatives from Jefferson for several sessions, therefore be it

Resolved, That we, the members of the House of Representatives, hereby extend our sympathy to our fellow member in his illness and be it further

Resolved, That we extend our best wishes for a speedy recovery to health, and be it further

Resolved, That the Clerk of the House transmit a copy of these resolutions to Representative Kimball.

On a *viva voce* vote the resolution was adopted.

Mr. Rathbone of Exeter offered the following resolution.

Whereas the citizens at New Hampshire have noted with pleased interest the splendid work of your committee and citizens in inaugurating a notable Jubilee Celebration at this time, calling to the attention of less favored parts of our great country, the many attractive features of New England, and

Whereas the people of New Hampshire take becoming pride in the part played by them in contributing to the happiness, health and general well being of the countless visitors who come to our shores and

Whereas any progress made industrially and otherwise by the region of which Boston is the great financial and cultural center is shared in full measure by the people of New Hampshire, therefore be it

Resolved by the General Court of New Hampshire in Special Session, that congratulations and best wishes be extended to His Honor Mayor Hines of Boston for a most successful celebration which will add luster to the fair name of Boston and be it further

Resolved, That the Clerk of the House of Representatives transmit a copy of these resolutions to His Honor, Mayor John Hines.

On a *viva voce* vote the resolution was adopted.

Recess

After Recess

Committee Report

Mrs. Wild of Jackson, for the Committee on Engrossed Bills, to whom was referred House Bill No. 6, An Act defining certain terms under the fish and game laws, and relating to lobsters and crabs, reported the same under Joint Rule 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 8 of said bill by striking out the first 3 lines and inserting in place thereof the following:

8. *Possession.* Amend section 47 of chapter 245 of the Revised Laws as amended by chapter 114 of the Laws of 1943 by striking out said section and inserting in place thereof the following:

Amend section 11 of said bill by striking out the same and inserting in place thereof the following:

11. *Possession of Pots and Traps.* Amend chapter 245 of the Revised Laws by inserting there after section 49, as hereinbefore amended, the following new section: 49-a. *Re-*

quirements. On and after March 1, 1951 no person shall possess on the coastal waters of the state of New Hampshire or use therein any lobster trap or pot unless it shall have at the bottom on each side thereof an opening not less than one and five-eighth inches wide, which such opening shall at all time be maintained clear and undiminished.

Amend section 15 of said bill by inserting after the figure "49" in the fourth line the figure 49-a.

On motion of Mr. Underwood of Hampton the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence.

Mrs. Wild of Jackson, for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 6, An Act correcting an administrative difficulty in the law relating to the gross weight of motor vehicles, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1. *Gross Weight of Motor Vehicles.* Amend paragraph IV of section 37, chapter 119, Revised Laws, as amended by chapter 11 of the Laws of 1947 and chapter 104 of the Laws of 1949, by striking out said paragraph and inserting in place thereof the following:

IV. A combination of vehicle and trailer or semi-trailer whose gross weight is more than fifty thousand pounds.

Further amend said bill by inserting after section 1 the following new section:

2. *Prohibited Gross Weights.* Amend section 37, chapter 119 Revised Laws, as amended by chapter 11 of the Laws of 1947 and chapter 104 of the Laws of 1949 by inserting after paragraph IV, as hereinbefore amended, the following new paragraph: V. A vehicle of which any single axle shall bear a gross load in excess of twenty-two thousand pounds.

Further amend said bill by renumbering section 2 to read section 3.

On motion of Mr. Perry of Haverhill the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence.

Message from the Senate

A message from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of Representatives in the passage of the following joint resolution, with amendment, in the passage of which amendment the Senate asked the concurrence of the House of Representatives:

Amend House joint resolution by inserting after line 4 the following:

That Cyril J. Fretwell, Clerk of the House, receive the sum of seventy-five dollars and Benjamin F. Greer, Clerk of the Senate, the sum of fifty dollars. Said sums for services in preparing the permanent Journal. Said sums to be paid upon completion of page proof of the Journal and same in the hands of the Secretary of State.

On motion of Mr. Tilton of Concord the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

Resolution

Mr. Wadleigh of Milford offered the following resolution:

Whereas the late John Gilbert Winant has given distinguished service as a citizen of this state, of the nation, and of the world at large; and

Whereas his character and accomplishments have reflected credit upon New Hampshire; and

Whereas he tirelessly devoted himself to the welfare of this state as representative, senator and governor; and as chairman of the social security board to the welfare of the nation; and

Whereas his honesty and integrity as ambassador to the Court of St. James during the trying period of the recent war, won the friendship and respect of democratic countries

throughout the world and helped to bring the war to a successful conclusion and to win victory for those ideals of democratic government which we are here pledged to support.

Now, Therefore, be it Resolved by the Senate and House Representatives in General Court convened that:

The Governor and council be, and hereby are requested to study appropriate means of memorializing the memory of the said John Gilbert Winant by portrait, statue or other appropriate means and to make recommendations based upon such studies to the 1951 session of the General Court for its consideration.

On a *viva voce* vote the resolution was adopted.

Mr. Holden of Hanover offered the following resolution.

Whereas the federal census for the year 1950 will shortly publish the result of its findings for the State of New Hampshire and

Whereas the taking of said census will necessitate a re-apportionment of representation in the House of Representatives at the regular 1951 session of the Legislature,

Resolved, That the Speaker of the House of Representatives be authorized and instructed to appoint a committee of five members of the House to prepare a plan for re-apportionment of representation in accordance with the Constitution and said census and to submit the same to the next regular session of the Legislature. Said committee is authorized to function during the interim period between final adjournment and the next regular session of the Legislature and the Secretary of State is respectfully requested to co-operate with said committee in making available necessary information and other assistance.

On a *viva voce* vote the resolution was adopted.

The Speaker appointed as members on such committee: Messrs. Holden of Hanover, Chairman, Carter of Cornish, Downs of Conway, Pickett of Keene, Sawyer of Concord.

Mr. Sanborn of Wakefield offered the following concurrent resolution.

Resolved by the House of Representatives, the Senate concurring, That a committee of ten be appointed to join with such committee as the Senate may designate to wait upon

his Excellency the Governor and inform him that the Legislature has completed the business of the session and is ready to receive any communication he may be pleased to make.

The Speaker appointed as members on such committee on the part of the House, the following named members: Boynton of Hillsborough, Tolman of Nelson, Mrs. Lazure of Fitzwilliam, Callum of Unity, Eldredge of Exeter, Martel of Manchester, Barry of Wilton, Mrs. Lazure of Berlin, Smith of New Hampton, Mrs. Wheeler of Bristol.

On a *viva voce* vote the concurrent resolution was adopted, and sent to the Senate for concurrence.

Mr. Barry of Wilton in the Chair.

Recess

The Speaker in the Chair.

Message from the Senate

A message from the Honorable Senate by its Clerk announced that the Senate had voted to concur with the House of Representatives in passage of the following concurrent resolution.

Resolved, by the House of Representatives, the Senate concurring, That a committee of ten, one from each county, be appointed to join with such committee as the Senate may designate to wait upon His Excellency, the Governor, and inform him that the Legislature has completed the business of the session and is ready to receive any communication he may be pleased to make.

And the President has appointed as a part of such committee on the part of the Senate, Senators Otis, Lalumiere, Wiggin and Butman.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolution:

Whereas the late John Gilbert Winant has given distinguished service as a citizen of this state, of the nation, and of the world at large; and

Whereas his character and accomplishments have reflected credit upon New Hampshire; and

Whereas he tirelessly devoted himself to the welfare of this state as representative, senator and governor; and as chairman of the social security board to the welfare of the nation; and

Whereas his honesty and integrity as ambassador to the Court of St. James during the trying period of the recent war, won the friendship and respect of democratic countries throughout the world and helped to bring the war to a successful conclusion and to win victory for those ideals of democratic government which we are here pledged to support,

Now, Therefore, be it Resolved by the Senate and House of Representatives in General Court convened that:

The Governor and council be, and hereby are requested to study appropriate means of memorializing the memory of the said John Gilbert Winant by portrait, statute or other appropriate means and to make recommendations based upon such studies to the 1951 session of the General Court for its consideration.

The message also announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

House Bill No. 6, An Act defining certain terms under the fish and game law, and relating to lobsters and crabs.

Senate Bill No. 6, An Act correcting an administrative difficulty in the law relating to the gross weight of motor vehicles.

(Mr. Sanborn of Wakefield in Chair)

Mr. Dort of Chesterfield offered the following resolution:

Whereas, the New Hampshire House of Representatives will on this day conclude its deliberations in Special Session; and

Whereas, the Speaker of the House of Representatives, Richard F. Upton of Concord, has served with diligence, integrity and impartiality throughout this Special Session; therefore be it

Resolved, That the membership of this House through the humble adoption of this resolve pay tribute to the qualities of

the Speaker so well known to us all and take this opportunity to wish him a long life filled with contentment, success and complete happiness.

And be Further Resolved, That the Clerk of the House forward a copy of this resolution to Mr. Upton.

The resolution was unanimously adopted by a rising vote.

(The Speaker in the Chair)

Mr. Sanborn of Wakefield offered the following resolution:

Resolved, That custodian of mails and supplies be instructed to mail to each member of the House a copy of today's House and Senate Journals.

On a *viva voce* vote the resolution was adopted.

Recess

After Recess

Committee Report

Mrs. Wild of Jackson, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bills:

Senate Bill No. 2, An Act to establish a unified personnel system for the state.

House Bill No. 2, An Act relative to construction, reconstruction and betterment of primary and secondary highways.

House Bill No. 7, An Act relating to the powers of certain municipal and private corporations, and certain counties, and clarifying a certain provision of the motor vehicle law.

Senate Joint Resolution No. 16, Joint Resolution making appropriation for expenses in connection with forest fires.

Senate Bill No. 6, An Act correcting an administrative difficulty in the law relating to the gross weight of motor vehicles.

House Joint Resolution No. 2, Joint Resolution in favor of Clarence A. Dubois and others.

House Bill No. 6, An Act defining certain terms under the fish and game laws, and relating to lobsters and crabs.

The report was accepted.

In accordance with the resolution that all bills and joint resolutions pending in either branch on Thursday, May 18, at three o'clock, be indefinitely postponed, the following entitled bill was indefinitely postponed:

Senate Bill No. 7, An Act to provide for the operation and maintenance of the Belknap Mountains Recreation Area.

Resolution

Mr. Boynton of Hillsborough for the joint committee appointed to wait upon his Excellency, the Governor, and inform him that the legislature had completed its duties, reported that they had attended to their duty and that Governor informed them that he had a communication to lay before the House.

The report was accepted and immediately His Excellency Sherman Adams, Governor, appeared before the House and delivered the following message:

MR. SPEAKER

HON. MEMBERS OF THE HOUSE OF REPRESENTATIVES:

The four short weeks you have spent here during this Special Session of 1950 have achieved momentous results. I venture to say that no Legislature convened in New Hampshire or elsewhere in our memory has accomplished in twelve legislative days so much, so efficiently, and so harmoniously. This Special Session will in future years be recorded and remembered as unique. In these days when our constitutional government has been subjected to world criticism, this Session is significant because it proves that representative government can work. Here is proof that gives the lie to those who attack constitutional government upon false charges of inefficiency, wastefulness and disunity. Here is a clear manifestation that if the people understand the problems which they face, comprehend the necessity of answering them and have some conception of how to solve them, they will find solutions through the process of representative government and accomplish what too often is considered today as the impossible. Furthermore, you have demonstrated that there is such a thing as non-partianship in attacking public problems which bear upon all of the people. Let me enumerate the decisions you have made in four short legislative weeks.

You have adopted a comprehensive measure providing for the reorganization of your state government, one of the broadest and most significant enactments ever passed by the New Hampshire Legislature.

You have provided for an enlarged highway construction program sorely needed in the State.

You have provided the means by which we may take advantage of funds now available to us for constructing housing facilities at the University of New Hampshire.

You have established the machinery for the study of the future needs of this university.

You have considered again the problem of water pollution and have reached a decision which will strengthen the operation of our Water Pollution Act.

You have provided needed appropriations without discarding the spirit and intent of our economy program.

You have reconsidered and perfected legislation relating to one of the great industries of our seashore.

You have during this time considered and ratified action taken by many municipalities and governing bodies of the state at their recent meetings.

You have reviewed and corrected certain difficulties in the administration of our motor vehicle laws.

One of the most notable accomplishments of the Session has been the adoption of a more adequate retirement system for our public school teachers. Your sense of fairness in your consideration of this measure is a credit to your good judgment.

Not the least of your achievements has been your acceptance of the proposal to adopt an entirely new state personnel system. Along with this you gave much deserved attention to the wage level of state employees and came to a conclusion respecting well-merited adjustments in these wage levels. Your grasp of the need for a modern personnel system is a source of satisfaction to all those in government who are in daily contact with this activity.

You have made it possible for the Public Housing Authorities in New Hampshire to cooperate under law with the Federal authorities so we may benefit to the maximum by using the advantages offered to this state under Federal law.

You have found time to arrange for methods of recounts upon referendum questions.

You have extended the benefits of the retirement system to the officials and employees of the Maine-New Hampshire Bridge Authority.

If any Legislature in history has within the space of so short a time taken under consideration such a wide variety of important public problems and has provided in every instance an adequate solution, I certainly have not heard about it and doubt if it has ever been recorded in history. If such accomplishments had ever been made, you may rest assured that they would have found their way into the public record.

In accomplishing a work of this kind we must think not only of the things that have been done but also of the many things which are still undone. While nothing can detract from the achievements of this Session, we should remember as we leave this place that there is still much work to do which we must share together. As we left the regular session of last year, we spoke of the many things left undone. In the little time that we have been together this spring, an amazing number of those things have been accomplished. As we take leave once again, bear in mind that many of you will gather together again in what will seem to you then only a few brief months, and other problems that still perplex us will need the same resourceful and painstaking consideration that you have given the questions which have come before you during these productive days. In the meantime, you may rest assured that we who are your servants in the executive departments of Government will devote our full energies to the work you have left with us and, as well, to finding better answers to the questions which lie before us.

You will recognize, of course, that with the adoption of increases in the retirement benefits for our school teachers, and with the adjustments in wages for our State employees, your Government will be spending somewhat more money than it will receive. Even though our current financial resources will meet our needs for the present, this situation must not continue indefinitely. Your adoption of the Reorganization proposals furnishes us some authority for even greater economy in the operation of our government. Furthermore, it urges us to an even more forthright effort to find additional economies. Eventually these savings will be substantial. However, it is

going to be difficult to eliminate the budget deficit which still faces us.

From our experiences here together in anticipation of this session we have learned that a genuine community of effort can overcome perplexing and aggravating problems of State Government. I think we can apply that experience to another unanswered question, namely the dilemma which confronts us in the unbalance of our operating budget. I propose to try, and I know that you will be willing to help. The sooner we begin to search for a satisfactory solution the sooner we shall again breathe easier about our financial predicament.

In reviewing your accomplishments, it should be made a part of this record that while it is difficult to foresee and to appraise your achievements is true focus, it is the opinion of the Governor of New Hampshire that no Legislature in the memory of any one of us here ever adjourned, or is in the future likely to adjourn, in possession of any more signal nor salutary accomplishments. I wish you all the good fortune which you so well deserve in your many private pursuits which you are about to take up again in your home communities upon leaving this session. May the satisfaction that you will derive from these accomplishments give you courage and confidence in facing the work that lies ahead.

I have been informed by the Joint Committee of the Senate and House of Representatives that you have completed the business of the special session. All bills and resolutions that have been passed by this Special Session of the General Court have received executive approval.

Therefore, now, by the authority vested in me as Governor, I do hereby declare the General Court of New Hampshire adjourned to the last Wednesday in December in the year of our Lord one thousand nine hundred and fifty.

Having been informed by the joint committee of the Senate and House of Representatives that you have completed the business of the special session and are ready to adjourn, I do, by the authority vested in me as Governor, hereby declare the General Court of New Hampshire adjourned to the last Wednesday in December in the year of our Lord, 1950.

SHERMAN ADAMS,
Governor.

Thereupon, at 5:45 o'clock, the Speaker declared the House adjourned to the last Wednesday in December, 1950.

CYRIL J. FRETWELL,
Clerk.

A true copy, Attest:

CYRIL J. FRETWELL,
Clerk.

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